

A. INTRODUCTION

According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the area that may be affected by a project, and determines whether that project is compatible with those conditions or may affect them. The analysis also considers a project's compliance with, and effect on, the area's zoning and other applicable public policies, including the City's Waterfront Revitalization Program (WRP).

As described in Chapter 1, "Project Description," the Applicant is proposing a series of discretionary actions that would redevelop and re-tenant Industry City (the Project Area) with a mixed-use project containing manufacturing, commercial, retail, hospitality, academic, and other community facility uses (the Proposed Project). The area affected by the Proposed Actions (the Directly Affected Area) includes the Project Area and the Rezoning Area. The Directly Affected Area is located in Community District 7 of Sunset Park, Brooklyn.

To facilitate the redevelopment and re-tenanting of Industry City, a number of discretionary land use actions would be required. These include a Zoning Text amendment to the Zoning Resolution (ZR) to establish the Special Industry City District (SICD); a Zoning Map amendment to map the SICD and to change a portion of the Directly Affected Area from an M3-1 to an M2-4 district; a Special Permit pursuant to 129-21 to modify use, bulk, and other regulations. An additional discretionary action for a change to the City Map to demap 40th Street between 1st Avenue and 2nd Avenue (the Proposed Actions) would be filed as a separate application to run concurrent with initial discretionary actions. This chapter provides an assessment of existing conditions and the future with and without the Proposed Actions for the Directly Affected Area.

PRINCIPAL CONCLUSIONS

As described in detail in this chapter, no significant adverse impacts on land use, zoning, or public policy are anticipated. The Proposed Actions would facilitate the redevelopment and re-tenanting of Industry City with a mixed-use project containing manufacturing, commercial retail, hospitality, academic, and other community facility uses. The Proposed Actions would not adversely affect surrounding land uses.

Innovation Economy represents a broad range of businesses involved in every step of the "making" process, from research and development to design and engineering, as well as the actual manufacturing of products. The Applicant believes that the Proposed Actions would drive business creation and expansion while providing a substantial amount of new jobs. The Innovation District will support an ecosystem where makers, innovators, students, and scholars will interface on research, design, training, and education, providing a feeder of entrepreneurs, as well as educated and trained employees to serve the Innovation Economy uses on site and elsewhere in the City.

The Proposed Actions would be consistent with the City's WRP. Per the WRP Consistency Assessment (WRP #15-049), which was reviewed by the New York City Department of City Planning's (DCP) Waterfront and Open Space Division, the Proposed Actions would support the applicable policies of the City's WRP.

B. METHODOLOGY

According to the *CEQR Technical Manual*, a land use assessment, which includes a basic description of existing and future land uses and public policy, should be provided for all projects that would affect land use, zoning, or public policy. Accordingly, an analysis has been prepared that describes existing conditions and anticipated future conditions for the 2027 analysis year, assesses the nature of any changes to these conditions that would be created by the Proposed Actions, and identifies those changes, if any, that could be significant or adverse.

This assessment will determine the effects of the Proposed Actions on three study areas; the Directly Affected Area, the Primary Study Area, and the Secondary Study Area. The Directly Affected Area is the area affected by the Proposed Actions. As described below in Section C, "Existing Conditions," the Directly Affected Area includes the Project Area and the Rezoning Area. The Primary Study Area for this analysis of land use, zoning, and public policy encompasses the area within 400 feet of the Directly Affected Area. The Secondary Study Area for the analysis encompasses the area within a ½-mile radius of the Directly Affected Area. As shown on **Figure 2-1**, the 400 foot Primary Study Area is generally bounded by 30th Street on the north; 4th Avenue on the east; 39th and 43rd Streets on the south; and the Gowanus Bay and the South Brooklyn Marine Terminal (SBMT) on the west. The ½-mile Secondary Study Area is roughly bounded by 22nd Street to the north, 51st Street to the south, 6th Avenue and the Green-Wood Cemetery to the east, and the Gowanus Bay to the west. This chapter also provides an assessment of the Proposed Actions' consistency with applicable public policies, including the City's coastal policies provided in the WRP.

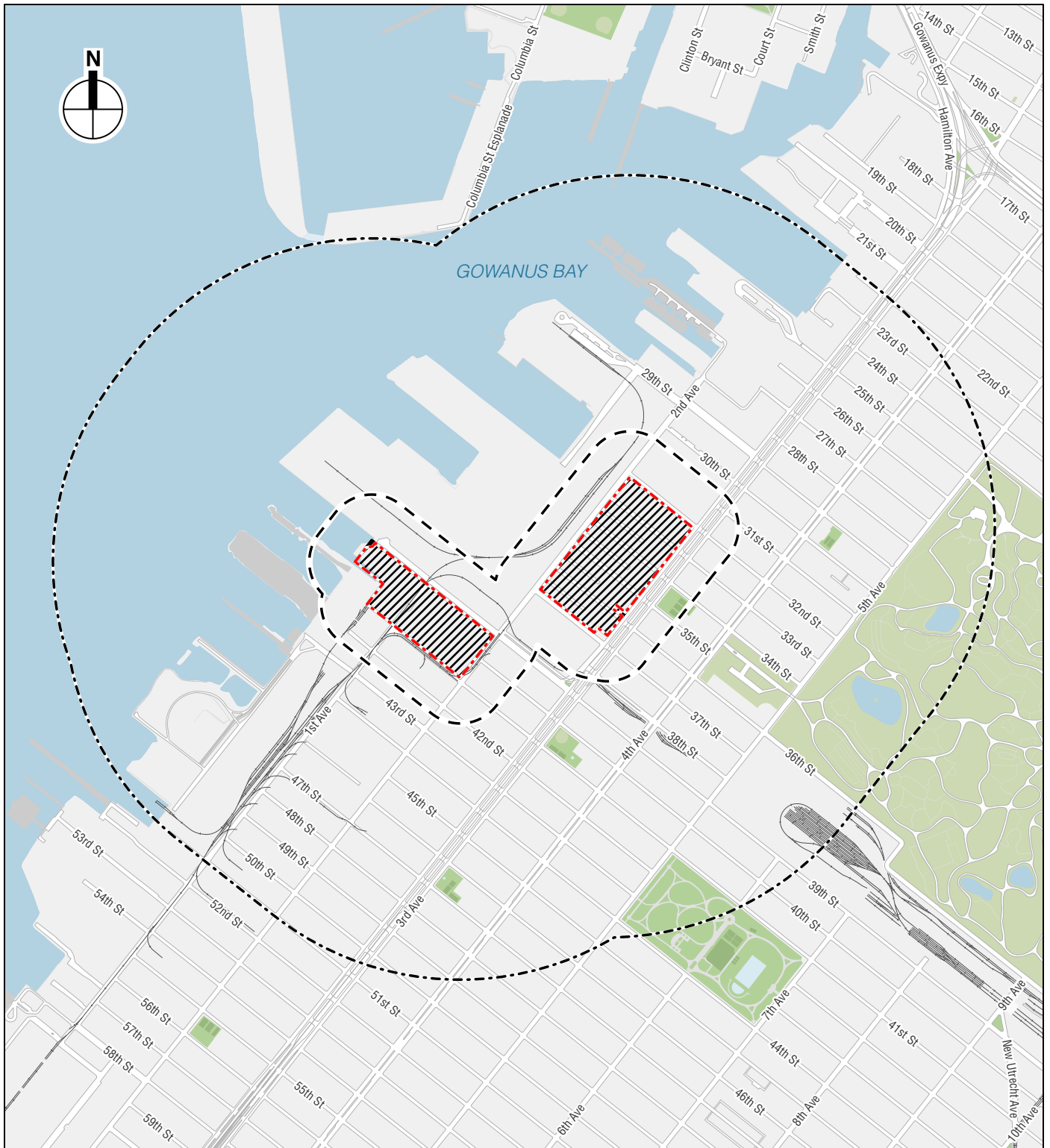
Sources for this analysis include field reconnaissance and online resources provided by DCP and the New York City Department of Buildings (DOB).

C. EXISTING CONDITIONS



LAND USE

DIRECTLY AFFECTED AREA

As detailed in Chapter 1 "Project Description," the Directly Affected Area consists of the Project Area and the Rezoning Area (see **Figure 2-1**). The Project Area comprises Industry City (Block 679, Lot 1; Block 683, Lot 1; Block 687, Lot 1; Block 691, Lots 1 and 44; Block 695, Lots 1, 20, and 43; Block 706, Lots 1, 24, and 101; and Block 710, Lot 1), approximately 30-acres of existing buildings owned and operated by the Applicant. The Project Area also includes certain immediately adjacent properties that the Applicant does not currently control but plans to acquire and redevelop as part of the Proposed Project (Block 695, Lots 37–42 and Block 706, Lot 20). The Rezoning Area includes three additional lots that are not within the Project Area (Block 691, Lots 45 and 46, and a portion of Block 662, Lot 1). The Project Area consists of warehouse structures contained in two primary clusters, which are referred to as the Finger Buildings and the 39th Street Buildings (see **Figure 2-1**). The cluster of structures known as the Finger Buildings are situated between 2nd and 3rd Avenues, from 32nd to 37th Streets. The cluster of structures known as the



Directly Affected Area

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|---|---------------|---|--|
|  | Project Area |  | Primary Study Area (400-foot boundary) |
|  | Rezoning Area |  | Secondary Study Area (1/2-mile boundary) |

39th Street Buildings are located in the area bounded by 39th Street to the north, 41st Street to the south, 2nd Avenue to the east, and the waterfront and Bush Terminal to the west.

Combined, the two building clusters (the Finger Buildings and the 39th Street Buildings) contain approximately 5.30 million square feet (sf) of development. Approximately 2.0 million sf of this total is industrial and manufacturing uses and approximately 1.4 million sf is storage and warehousing uses. There is also a variety of other uses within the Project Area, including vacant space, storage and warehousing, office, retail, a Brooklyn Nets training facility, event space, and vertical circulation and mechanical space^{1,2}. In addition, the Industry City Courtyards are three outdoor spaces accessible to Industry City non-residents and visitors located between Finger Buildings 1 and 2, 3 and 4, and 5 and 6. The Courtyards contain seating areas, passive recreational uses, trees and other landscaping, and seasonal programming such as temporary musical stage.³ Though these courtyards are for private use, they open up onto 2nd Avenue along the east side of the street.

As mentioned before, the three additional lots included in the Rezoning Area but not the Project Area are Lot 45 and Lot 46 on Block 691, and a 2,000 sf portion of Block 662, Lot 1, which the Applicant neither currently owns nor plans to acquire. Lot 45 is the retail site of TDC Doors, a retailer that also specializes in making interior and exterior doors, iron gates, and fences; Lot 46, the corner lot, is the site of Hero Champ, a deli and sandwich shop; above Hero Champ is an office unit. Lot 1 is vacant land.

The Directly Affected Area also includes Block 695, Lots 37–43 of the Project Area. Lot 37 on Block 695 is a single-story deli and café. The other lots on Block 695 (Lots 38–42) are three-story mixed residential and commercial parcels, while Lot 43 is used for parking. It should also be noted that Block 691, Lot 44 is occupied with a single-story commercial structure with an existing built floor area ratio (FAR) of 0.95.

As described in Chapter 6, “Historic and Cultural Resources,” the Directly Affected Area is within a portion of the Bush Terminal Historic District (see Figure 6-1), which has been determined eligible for listing on the State and National Registers of Historic Places (S/NR). Existing conditions outside of the Directly Affected Area are described below.

PRIMARY STUDY AREA

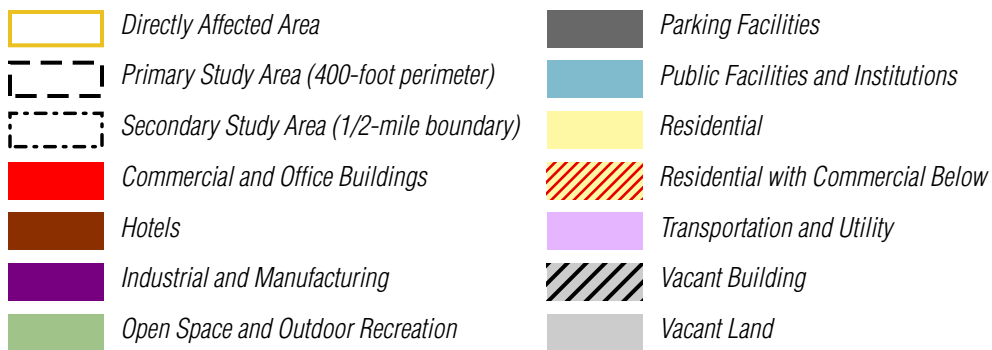
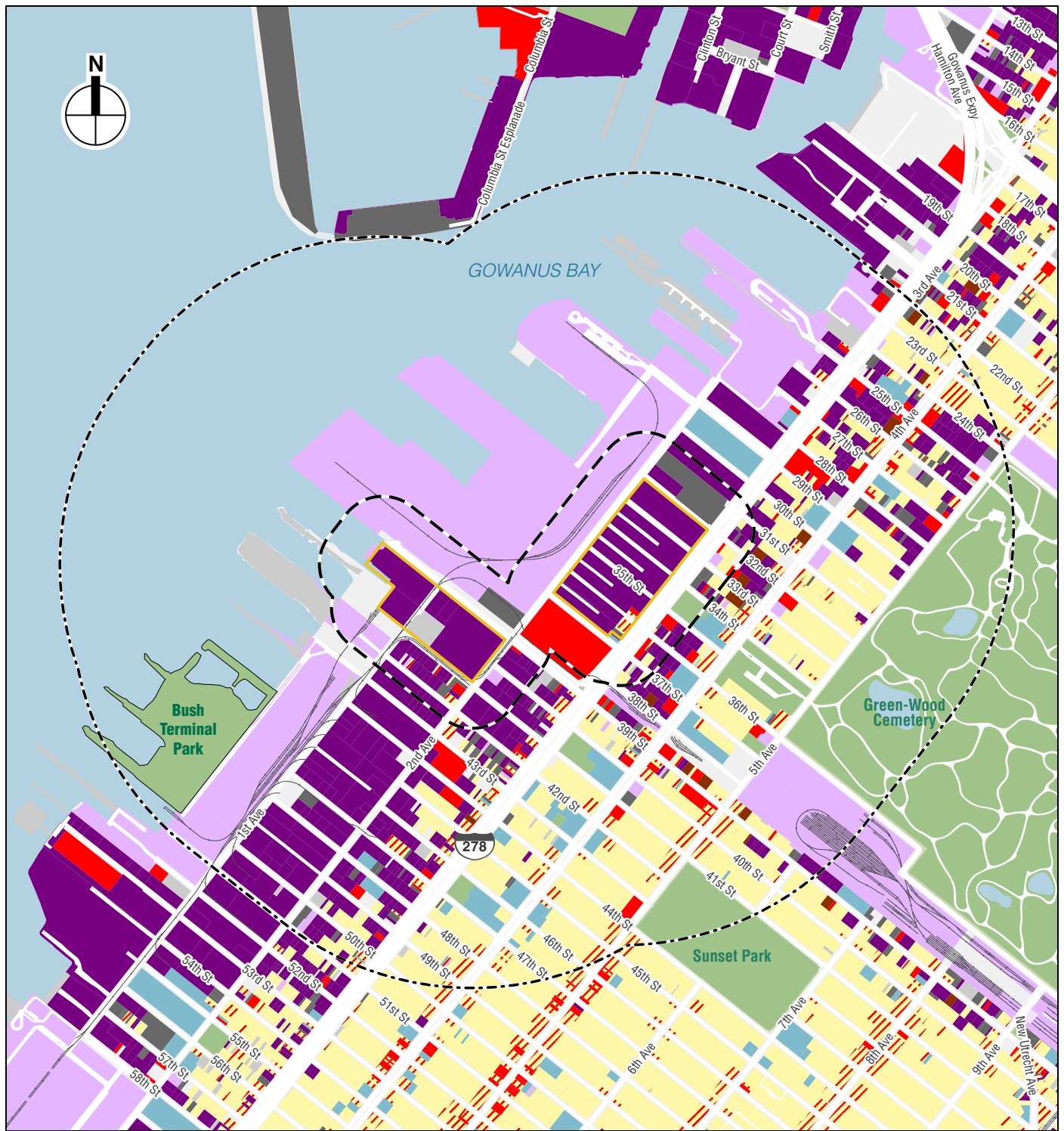
As shown on **Figure 2-2**, the Primary Study Area includes the area within 400 feet of the Directly Affected Area. The land uses within the Primary Study Area are similar to those found within the Directly Affected Area.

West of the Directly Affected Area is the SBMT. The terminal is partially located within the Primary Study Area between Industry City and the waterfront. Decades ago, the 88-acre site was primarily used for industrial maritime operations. More recently, a small portion of the SBMT has

¹ Note most of the current buildings do not have certificates of occupancy detailing UGs for existing uses, thus the listed UGs are approximations of UG categories existing uses may fall into.

² Existing manufacturing tenants at Industry City include food producers, garment producers, and producers of specialty goods such as guitars. Light manufacturing tenants include, among others, the following: artists, home decor designers, and fashion workshops. Office and tech tenants include private firms and nonprofits.

³ While these courtyards are considered open spaces, they are not considered publicly accessible as they are reserved for on-site workers and visitors to Industry City. See Chapter 4, “Open Space,” for more detail.



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been used for recycling operations with the majority of the site, vacant, paved, unimproved, and underutilized. On the northern portion of SBMT, specifically the 29th Street Pier is a recycling facility operated by SIMS Municipal Recycling. The facility processes the majority of New York City's commingled curbside material. Along with the traditional method of using trucks to transport waste, the facility utilizes maritime transportation to bring a sizeable portion of the recyclables to the facility, reducing vehicle miles, while increasing cost efficiency and the sustainability of waste management. This facility is anticipated to expand in the future, this is discussed in the No Action condition (see Section D, "Future without the Proposed Actions").

East of the Directly Affected Area is the elevated Gowanus Expressway that runs above 3rd Avenue separating primarily industrial and commercial uses to the west of 3rd Avenue from a mix of industrial, commercial and residential uses to the east of 3rd Avenue. Two significantly sized commercial buildings are located along 3rd Avenue; one on the east side of 3rd Avenue between 36th and 37th Streets includes multiple retail stores that sell construction related supplies, the other is a Dunkin Donuts on the corner of 35th and 3rd Avenue.

North of the Directly Affected Area, there is an industrial facility located on the corner of 32nd and 2nd Avenue. East and north of that industrial facility is Beyond at Liberty View Industrial Plaza (850 3rd Avenue), a facility that spans 31st and 32nd Streets between 2nd and 3rd Avenues. Beyond at Liberty View Industrial Plaza is composed of a parking facility, commercial and manufacturing uses. The commercial use in the building includes a variety of retail stores—most notably a Bed Bath & Beyond, Face Values, buybuy Baby, and a Cost Plus World market. Parking at Liberty View is a large full block parking facility for shoppers and tenants of the building.

Just south of the Directly Affected Area is a Costco, a big box retail store that, along with its parking lot, spans an entire super block between 37th and 39th Streets and 2nd and 3rd Avenues. Similar to other areas within the Primary Study Area, south of the Directly Affected Area are primarily industrial uses. A portion of Bush Terminal, an industrial complex comprised of multiple warehouses, factory loft buildings, and piers, is located within the Primary Study Area. Bush Terminal is discussed in detail below as it is primarily captured within the Secondary Study Area.

Other uses south of the Directly Affected Area include two transportation and utility uses, parking facilities, a few commercial uses and a mixed-use residential building with retail on the ground floor. The two transportation and utility uses are located on 40th and 2nd Avenue, the other along 42nd Street, between 1st and 2nd Avenues. Parking facilities are located along 41st and 42nd Streets between 1st and 2nd Avenues. Commercial uses are dispersed; there is an adult entertainment facility on the southeast corner of 39th Street and 2nd Avenue, as well as a variety of general retail stores and auto servicing facilities, located on 41st and 42nd Streets, between 1st and 2nd Avenues. There are also four residential uses on 41st and 42nd Streets, between 1st and 2nd Avenues. These sites are generally three story buildings, with residential uses located above a ground floor commercial use.

Although industrial and manufacturing uses are concentrated west of 3rd Avenue and by the waterfront, they are scattered throughout the Primary Study Area. These uses are generally clustered together south of the Directly Affected Area but become less concentrated between 29th and 37th Streets, and between 3rd and 4th Avenues, as they are mixed with residential, commercial, community facility, parking and vacant land uses (see **Figure 2-2**).

Residential uses in the Primary Study Area are generally two- to three-story multi-family apartment buildings. Residential uses between 3rd and 4th Avenues also include ground floor retail. Commercial uses are scattered throughout the study area, generally in the form of retail

buildings or ground floor retail with residential above on street corners along the avenues and in scattered locations between avenues. In addition to residential and commercial uses, there are also two community facilities in the Primary Study Area; AHRC New York City's Bush Terminal Center is located on the northeast corner of 33rd Street and 3rd Avenue (55 33rd Street), and a Turning Point Shelter (968 3rd Avenue) is located on the northwest corner of 37th and 3rd Avenue. Other uses like parking facilities are found in various places throughout the study area.

It should be noted that portions of the Primary Study Area are within the Bush Terminal Historic District.

SECONDARY STUDY AREA

The Secondary Study Area includes a larger portion of the Sunset Park and Green-Wood neighborhoods. The Secondary Study Area is split between industrial and manufacturing uses west of 3rd Avenue and a residential community east of 3rd Avenue that includes commercial, community facility, open space and vacant uses, as well as industrial and manufacturing and transportation and utility uses. A portion of the Bush Terminal Historic District, south of 47th Street, is located within the Secondary Study Area.

The Secondary Study Area is generally bounded by 22nd Street to the north, 51st Street to the south, 6th Avenue and Green-Wood Cemetery to the east, and the Gowanus Bay to the west (see **Figure 2-2**). Depending on the location within the Secondary Study Area and the larger Sunset Park neighborhood, industrial and manufacturing uses are either clustered tightly together or loosely together with a mix of other uses. There are tightly clustered groups of industrial and manufacturing uses located directly north and south of the Primary Study Area. North of 29th Street, between 2nd and 3rd Avenues there are transportation, utility, and industrial and manufacturing businesses, including a Con Edison facility, LaFarge Building Materials, Tanner Bolt, and a scrap metal facility. South of the Primary Study Area, industrial and manufacturing uses are tightly clustered together and are the primary land use. Located along the waterfront is Bush Terminal, an industrial complex comprised of multiple warehouses, factory loft buildings, and piers. The Terminal is located along the waterfront between 51st Street and 41st Street. The Terminal includes Bush Terminal Pier Park, an approximately 22-acre park that includes a variety of amenities such as walking and bike paths, benches, soccer and baseball fields, water fountains, comfort stations, a rock jetty, tidal pools, night lighting and restored wetlands. East of 3rd Avenue, there is a cluster of industrial and warehousing uses between 25th and 29th Streets. Another large full block industrial and manufacturing facility is located at 4312 2nd Avenue.

However, further north in the Secondary Study Area, clusters of industrial and manufacturing uses become less concentrated as they are replaced with residential, commercial, community facility, parking and vacant land uses. There is another group of loosely clustered industrial uses located between 3rd and 4th Avenues and 29th and 39th Streets. These industrial and manufacturing uses are mostly contained to one- to three-story warehouse, shipping, and manufacturing facilities.

Although most residential uses are concentrated east of 3rd Avenue, there are a few residential uses within the Secondary Study Area located between 2nd and 3rd Avenues. These residential uses, mostly located between 42nd and 51st Streets, are generally two- to three-story multi-family homes. East of 3rd Avenue and south of 39th Street, the primary land use is residential. Slightly taller three- to five-story multi-family apartment buildings can be found along 4th Avenue. In addition, many of these buildings include ground floor retail. The Secondary Study Area includes a portion of the Sunset Park Historic District. The Sunset Park Historic District, one of the largest Federal Historic Housing Districts, covers an area between 39th Streets and 64th Streets and

between 4th Avenue and 7th Avenue. This Historic District has some of the oldest cooperative apartment housing stock in the country; furthermore, Sunset Park is home to several New York City Landmarks such as the Weir Greenhouse (now McGovern-Weir Greenhouse); 68th Police Precinct Station; the former Sunset Park Court; and the Firehouse, Engine Company 28.⁴

Between the Primary Study Area and the Secondary Study Area boundaries, commercial uses are mostly found along the avenues. In particular, south of 40th Street, commercial uses are generally limited to 3rd Avenue, 4th Avenue, and 5th Avenue as one- to two-story retail buildings, or ground floor retail in a residential building. Commercial stores like restaurants, bakeries, delicatessens, beauty supply shops, banks, and clothing stores are concentrated along 4th and 5th Avenues. A large Key Food grocery store is located across from Sunset Park between 43rd and 44th Streets. Also prominent in the area are pick up and drop off laundromats, storage facilities, and hardware supply stores. There are ten hotels in the Secondary Study Area, with Hotel BPM Brooklyn (139 33rd Street) being the closest hotel to the Project Area. The hotels in the Secondary Study Area are generally economy hotels located between 3rd and 6th Avenues. Along 3rd Avenue, there is one hotel, a Quality Inn (4410 3rd Avenue). East of 3rd Avenue, there are a number of hotels locations between 3rd and 4th Avenues, including a Sleep Inn (134 22nd Street), a Howard Johnson (235 24th Street), a Brooklyn Way Hotel (764 4th Avenue), an Industry City Hotel – an Ascend Hotel Collection Member (135 32nd Street), and the Hotel BPM Brooklyn. In addition, there are two hotels located between 4th and 5th Avenues, a Days Inn by Wyndham Brooklyn (437 39th Street), and a Wyndham Garden Brooklyn Sunset Park (457 39th Street), as well as the Phoenix Hotel (517 39th Street), and a Vue Express Hotel (536 39th Street) located between 5th and 6th Avenues.

Other uses in the Secondary Study Area include open space, community facilities, transportation and utility uses, as well as more manufacturing and warehouse uses. Open space resources include 3rd Avenue Playground/Gonzalo-Plasencia Playground, Pena Herrera Park, P.S. 1 Playground, D’Emic Playground, Bush Terminal Piers Park, and a portion of both Sunset Park and the Greenwood Cemetery. Community facilities are also more prevalent in the southern portion of the Secondary Study Area, including: a variety of service facilities like the Lifespire facility dedicated to assisting individuals with disabilities and their families, and the Merien-Heim Senior Center; schools, such as P.S. 1 The Bergen Elementary School, P.S. 371, and Sunset Park High School; the 72nd Precinct of the New York City Police Department (NYPD); the Metropolitan Detention Center; and numerous houses of worship, including 4th Avenue Methodist Church, Trinity Lutheran Church, Iglesia Pentecostal El Camino, and the St. Michaels R.C. Church.

Other uses like parking facilities are found in various places throughout the Secondary Study Area.

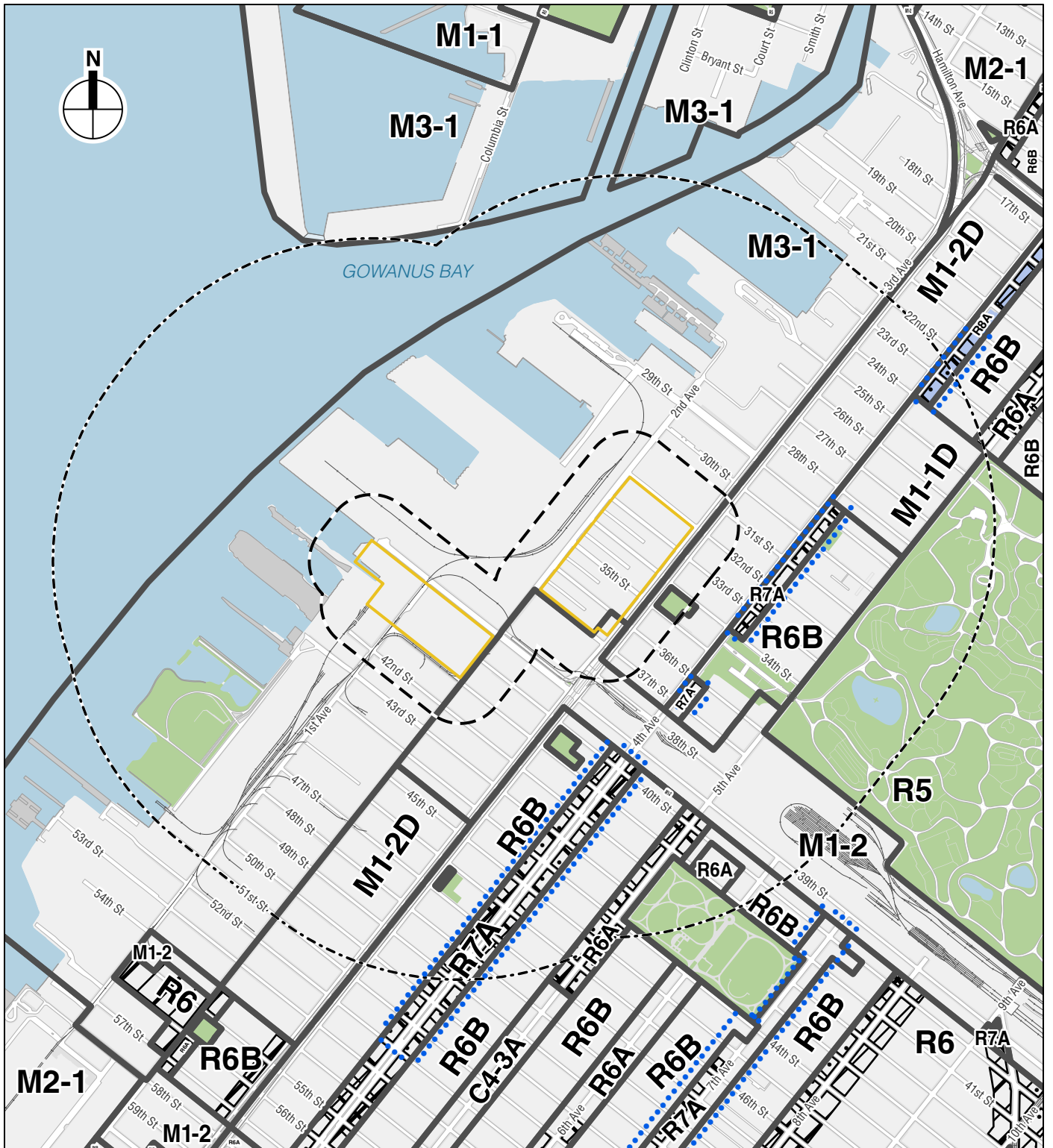
ZONING











DIRECTLY AFFECTED AREA

As shown in **Figure 2-3**, the Directly Affected Area is almost entirely zoned M3-1. As mentioned in the Land Use section of the “Existing Conditions” discussion, the Directly Affected Area includes Block 695, Lots 37–44. Different from the majority of the Directly Affected Area, these lots are zoned M1-2.

Both M3 and M1 districts are manufacturing zoning districts. Zoning districts designated as M3 are usually located near the waterfront, and are designed for heavy manufacturing and typically

⁴ Cultural Resources Information System. <https://cris.parks.ny.gov/>



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|  | <i>Directly Affected Area</i> |  | <i>Special Enhanced Commercial District (EC-1)</i> |
|  | <i>Primary Study Area (400-foot boundary)</i> |  | <i>C1-3 Commercial Overlay District</i> |
|  | <i>Secondary Study Area (1/2-mile boundary)</i> |  | <i>C2-3 Commercial Overlay District</i> |
|  | <i>Inclusionary Housing Designated Area</i> |  | <i>C2-4 Commercial Overlay District</i> |
|  | <i>Zoning District Boundaries</i> |  | <i>Park Boundary</i> |

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noxious uses. Historically, when M3 industrial uses in New York City were consistently noxious, M1 districts served as a buffer between M3 districts and residential areas. Zoning districts designated as M3-1 have a maximum FAR of 2.0 with a maximum base height before setback of 60 feet. M3-1 districts are subject to parking requirements based on the type of use and size of an establishment. M1 districts are often sited between M2 or M3 districts and adjacent residential or commercial districts, and are characterized by one- or two-story warehouses. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Offices, hotels, and most retail uses are also permitted as-of-right, as well as certain community facilities, such as houses of worship. M1-2 districts allow 2.0 manufacturing and commercial FAR, and 4.8 FAR for community facility uses. In addition, M1 districts typically have street wall height limit, above which a structure must fit within a sloping sky exposure plane; this base height is 60 feet in M1-2 districts. M1-2 districts are subject to parking requirements based on the type of use and size of an establishment.

PRIMARY STUDY AREA

In addition to the districts described above, the Primary Study Area contains a M1-2D light manufacturing district. As mentioned above, M1 districts have historically served as buffers between M2 or M3 districts and adjacent residential or commercial districts. Similarly, in the Primary Study Area the M1-2 and M1-2D districts are located between the M3-1 district located along the waterfront and the residential districts of Sunset Park, east of the Primary Study Area.

The M1-2D allows a FAR of 1.65 for manufacturing and commercial uses, as well as an FAR of 4.8 for community facility uses. Parking and loading requirements vary with district and use. M1-2 and M3-1 districts are subject to parking requirements based on the type of use and size of an establishment. Generally, M1-D districts are the only manufacturing districts in which residences are permitted. This is why residential uses are found in the M1-2D district of the Primary Study Area.

SECONDARY STUDY AREA

As with the Primary Study Area, the waterfront of the Secondary Study Area is zoned M3-1. As mentioned above, M3 districts permit heavy industrial uses in addition to light manufacturing, warehouse, office and limited retail and apply less stringent performance standards than M1 districts. The M3-1 zoning district is buffered by M1-1D, M1-2, and M1-2D zoning districts. The M1-1D zoning district is located between 24th and 28th Streets, between 4th and 5th Avenues. The M1-1D zoning district allows up to 1.65 FAR for manufacturing and commercial uses and 2.4 FAR for community facilities. Similar to the M1-2D district, the M1-1D allows (by authorization or certification) residential uses to be permitted. As shown in **Figure 2-3**, the M1-1D district contains a mix of residential, manufacturing, and industrial uses.

Commercial overlay districts are also mapped within the Secondary Study Area. C2-4 commercial overlays are mapped within residential districts, along streets that serve local retail needs. A C2-4 commercial overlay is mapped within an R8A residential district along 4th Avenue between 22nd and 24th Streets, and within an R7A residential district between 29th and 34th Streets, 36th to 38th Streets, and 39th to 50th Streets. The C2-4 commercial overlay is also mapped within a R6A residential district along 5th Avenue, between 39th and 47th Streets. When mapped within an R6 through R10 district, as in the Secondary Study Area, a commercial overlay allows a maximum commercial FAR of 2.0 and commercial buildings are subject to commercial bulk rules.

It should be noted that Inclusionary Housing Designated Areas are mapped within the Secondary Study Area. These Inclusionary Housing Designated Areas are mapped in the same locations as

the C2-4 commercial overlays along 4th Avenue. In general, developments within an Inclusionary Housing Designated Area can increase permitted FAR by 33 percent if an amount of floor area equivalent to 20 percent of the building's floor area, excluding ground-floor non-residential floor area, is provided for affordable housing. Affordable housing created through the program must remain affordable in perpetuity for households at or below 80 percent of Area Median income (AMI).

Compared to the Primary Study Area, the Secondary Study Area extends further into the Sunset Park and Green-Wood Heights neighborhoods and includes the most residential zoning. The Secondary Study Area includes R5, R6A, R6B, R7A, and R8A residential districts as well as a commercial overlay (C2-4) and Inclusionary Housing Designated Areas. Residential districts found in the Secondary Study Area are located east of 3rd and 4th Avenues. **Table 2-1** summarizes the zoning districts within the Primary and Secondary Study Areas, and **Figure 2-3** shows their location.

Table 2-1
Zoning Districts in the Primary and Secondary Study Areas

Zoning District	Maximum FAR ¹	Uses/Zone Type
Manufacturing Districts		
M1-1D	1.00 manufacturing and commercial; 2.4 community facility	Light manufacturing district
M1-2	2.0 manufacturing and commercial; 4.8 community facility	Light manufacturing district
M1-2D	2.0 manufacturing and commercial; 4.8 community facility	Light manufacturing district
M3-1	2.0 manufacturing and commercial	Heavy manufacturing district
Commercial Districts		
C2-4 Overlay	1.0 commercial (within R1-R5 districts); 2.0 commercial (within R6-R10 districts)	Local shopping and services within a residential district
Residential Districts		
R5	1.25 residential; 2.0 community facility	Non-contextual residential district
R6A	3.0 residential and community facility	Contextual residential districts—special lot coverage and height regulations to maintain the traditional street wall
R6B	2.0 residential and community facility	
R7A	4.6 residential and community facility ²	
R8A	7.20 residential; 6.5 community facility ²	General higher-density residential district
Notes: ¹ FAR is a measure of density establishing the amount of development allowed in proportion to the lot area. For example, a lot of 10,000 sf with a FAR of 1 has an allowable building area of 10,000 sf. The same lot with an FAR of 10 has an allowable building area of 100,000 sf. ² With Inclusionary Housing F.A.R. bonus Source: New York City Zoning Resolution.		

The Green-Wood Cemetery is mapped within an R5 district. The FAR of 1.25 typically produces three- and four-story attached houses and small apartment houses. R6A districts are mapped at the northeastern and southeastern edges of the Secondary Study Area. R6A districts are contextual districts and have an FAR of 3.0. The Quality Housing bulk regulations produce six- to eight-story apartment buildings. Neighborhoods mapped within R6A districts are generally designed to be compatible with older buildings found in medium-density neighborhoods. R6B districts are mapped between 4th and 5th Avenues in three locations; northeast of 24th Street, between 29th and 37th Streets, and southeast of 40th Street. R6B districts have an FAR of 2.0 for residential and community facilities. These districts are often traditional row house districts, consisting of four-story attached buildings. R7A districts are mapped along 4th Avenue in three locations: southeast of 39th Street, between 37th and 36th Streets, and again between 34th and 29th Streets. The contextual Quality Housing regulations, which are mandatory in R7A districts, typically produce high lot coverage, seven- to nine-story apartment buildings. R7A districts have an FAR of 4.0 for residential and community facility uses. With the addition of an FAR bonus from a mapped Inclusionary Housing Designated Area, R7A districts have an FAR of 4.6 for residential and

community facilities. An R8A district is mapped towards the northeastern end of the Secondary Study Area along 4th Avenue between 22nd and 24th Streets. The contextual Quality Housing regulations, which are mandatory in R8A districts, typically result in high lot coverage apartment buildings of roughly 12 to 14 stories, set at or near the street line. R8A districts have an FAR of 6.02 for residential and community facility uses. With the addition of an FAR bonus from a mapped Inclusionary Housing Designated Area, R8A districts have an FAR of 7.20 for residential and community facilities. As mentioned above, a C2-4 commercial overlay is mapped within an R8A residential district along 4th Avenue between 22nd and 24th Streets and allows a maximum commercial FAR of 2.0. Commercial buildings are also subject to commercial bulk rules.

PUBLIC POLICY

Public policies applicable to the Directly Affected Area are discussed below.

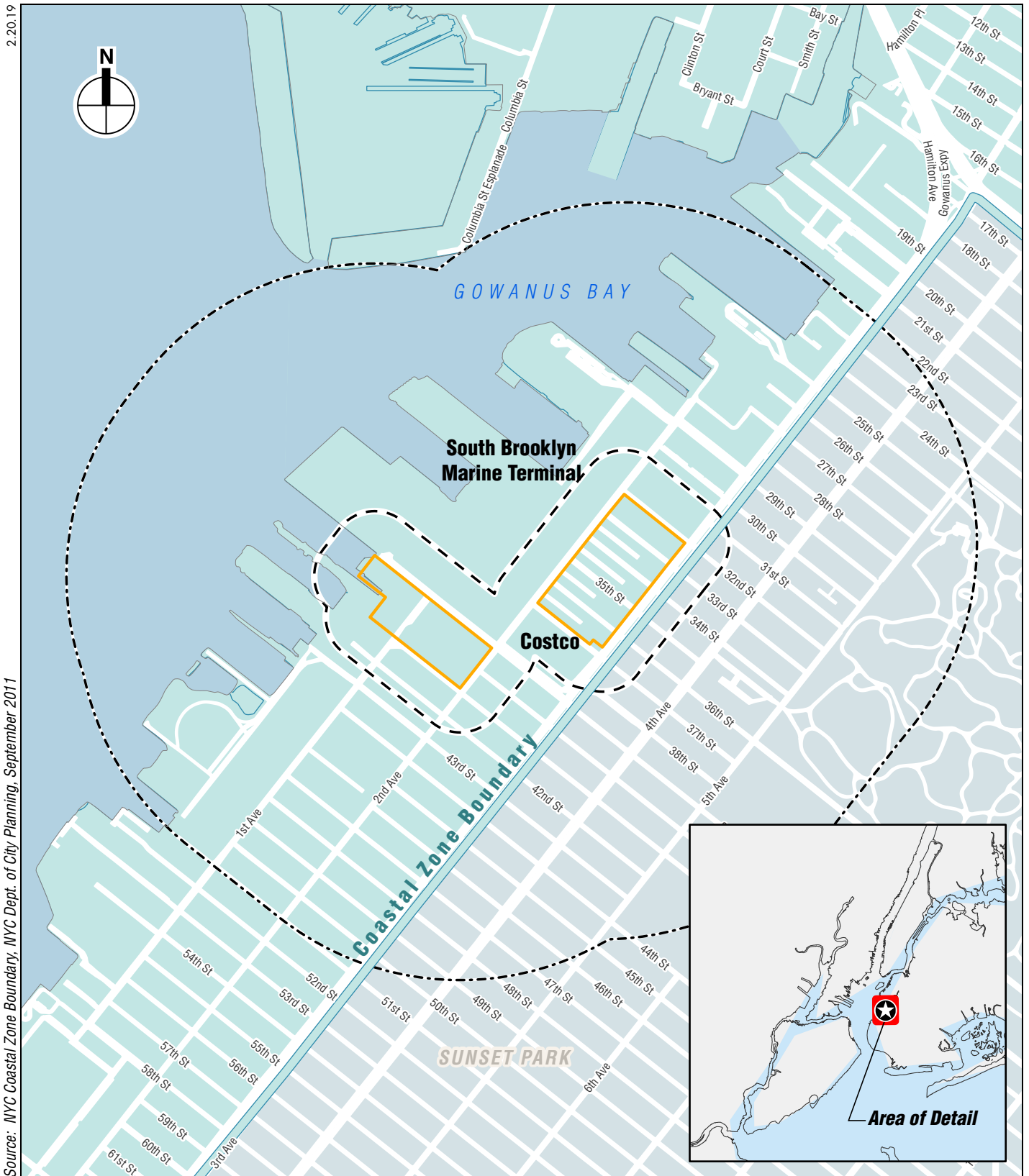
WATERFRONT REVITALIZATION PROGRAM

The Directly Affected Area is located within the boundaries of New York City's Coastal Zone (see **Figure 2-4**). Therefore, the Proposed Actions are subject to a consistency review under the City's WRP. The WRP is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. A local WRP, such as New York City's, is subject to approval by the New York State Department of State (DOS) with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the Federal Coastal Zone Management Act. The WRP was originally adopted by the City of New York in 1982, revised in 2002, and revised again in 2013. The most recent revisions were approved by the City Council in 2013 and adopted by DOS (with the concurrence of the U.S. Department of Commerce) in 2016.

The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. The recent revisions include incorporation of climate change and sea level rise considerations to increase the resiliency of the waterfront area, promotion of waterfront industrial development, as well as commercial and recreational waterborne activities, increased restoration of ecologically significant areas, and best practices for the design of waterfront open spaces. In addition, as part of the WRP revisions, the Coastal Zone boundary has been extended further inland in many locations to reflect alterations to Federal Emergency Management Agency (FEMA) flood zone maps. All proposed actions subject to CEQR, the Uniform Land Use Review Procedure (ULURP), or other City, state, or federal agency discretionary actions that are situated within New York City's designated Coastal Zone boundary must be reviewed and assessed for their consistency with the WRP. An assessment of the Proposed Actions' consistency with applicable WRP policies is warranted, and is included as **Appendix A-1**, "Waterfront Revitalization Program."

PLANYC/ONENYC

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York* (PlaNYC). Since that time, updates to PlaNYC have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In 2015, *One New York: The Plan for a Strong and Just City* (OneNYC) was released by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. OneNYC builds upon the sustainability goals established by PlaNYC and focuses on growth, equity, sustainability, and resiliency. Goals outlined in the report include those related to housing (ensuring access to



- Directly Affected Area
- Primary Study Area (400-foot boundary)
- Secondary Study Area (1/2-mile boundary)
- Coastal Zone

affordable, high-quality housing) and thriving neighborhoods (ensuring that neighborhoods will be well served).

NEW YORK WORKS

In June 2017, the New York City Office of the Deputy Mayor for Housing and Economic Development released *New York Works*, an economic development plan focused on supporting growing industries and employment opportunities through City investments and direct actions, with the goal of creating 100,000 new quality jobs. The plan focuses on key sectors that have the potential to support well-paid jobs, including technology, life sciences and healthcare, industrial and manufacturing, and creative and cultural, and supports the revitalization of the traditional commercial office sector. The plan also outlines several strategies for public support, including modernizing and repurposing City-owned properties for commercial or manufacturing uses, financing and tax incentives, and infrastructure investments.

VISION 2020 COMPREHENSIVE WATERFRONT PLAN

Vision 2020: New York City Comprehensive Waterfront Plan, released in 2011, provided a framework to better connect New Yorkers and the waterfront by increasing water transport, public access to the waterfront, and economic development. The Directly Affected Area is located within one of Vision 2020's 20 neighborhood reach areas. As detailed in Vision 2020, the strategies outlined for Brooklyn Upper Bay South are to facilitate open space improvements at street-ends in coordination with approved plans and zoning regulations for adjacent sites, and support the appropriate alignment of the Brooklyn Waterfront Greenway Master Plan, guiding the creation of a 14-mile waterfront path between Newtown Creek and the Shore Parkway Greenway. A stretch of the Brooklyn Waterfront Greenway, called the Sunset Park North Brooklyn Waterfront Greenway, includes a portion of 2nd Avenue within the Directly Affected Area and the extended Primary and Secondary Study Areas as well.

Vision 2020 also designates certain waterfront areas as Significant Maritime and Industrial Areas (SMIAs). These zones are designated to encourage the clustering and concentration of heavy industrial and infrastructure uses, such as international shipping, domestic shipping and barging, ship construction and repair, and related uses. The Directly Affected Area is located within the Sunset Park SMIA, an approximately 600-acre area, extending from the Erie Basin to Owls Head (see **Figure 2-5**). The area is characterized by water-dependent facilities, concentrations of industrial activity, well-buffered manufacturing districts, vacant sites and brownfields.

SUNSET PARK WATERFRONT VISION PLAN

The Sunset Park Waterfront Vision Plan outlines a sustainable urban industrial district that balances neighborhood, City-wide, and industrial development goals through physical and policy-based investments. In 2008, the New York Economic Development Corporation (EDC), along with DCP and the New York City Department of Small Business Services (SBS) developed a set of recommendations for reinvestment over the next twenty years, with a focus on short-term, medium-term, and long-term implementable projects. Current ongoing and recommendations for future investments fall under the following categories; maximizing efficient movement of goods, protecting and growing industrial employment, promoting green practices, and balancing neighborhood needs.

Current investments to maximize efficient movement of goods include upgrades to the 1st Avenue Rail, Marine Cargo at SBMT, and improvements to Bush Terminal Circulation Improvements. Current investments to protect and grow industrial employment include Industry-targeted property



- Directly Affected Area
- Primary Study Area (400-foot boundary)
- Secondary Study Area (1/2-mile boundary)
- Significant Maritime and Industrial Area (SMIA)

0 2,000 FEET

dispositions. Current investments to promote green practices include conducting City-wide green sector studies and an initiative to increase energy efficiency at Brooklyn Army Terminal. Current investments to balance neighborhood needs include the creation of a major open space at Bush Terminal Park, which opened in 2014. The Sunset Park Waterfront Vision Plan also includes a number of recommendations, including marine, rail, and building infrastructure upgrades, the creation of workforce development opportunities, integrated public open space and amenities, sustainable industrial development guidelines, opportunities for waste-to-profit exchange networks, and measures for advancing district-wide environmental efficiency.

SOUTHWEST BROOKLYN INDUSTRIAL BUSINESS ZONE

In 2006, the City created sixteen Industrial Business Zones (IBZ) across the City where expanded business services are available for industrial and manufacturing businesses. These IBZs were established to protect existing manufacturing districts and encourage industrial growth citywide. Located along the waterfront from Atlantic Street to Shore Road, the Southwest Brooklyn IBZ fosters high-performing business districts in the Brooklyn neighborhoods of Cobble Hill, Carroll Gardens, Red Hook, South Slope, and Sunset Park, by creating competitive advantages over locating in areas outside of Manhattan (see **Figure 2-6**). The IBZs are supported by tax credits for relocating within them, zone-specific planning efforts, and direct business assistance from Industrial Providers of NYC Business Solutions Industrial and Transportation.

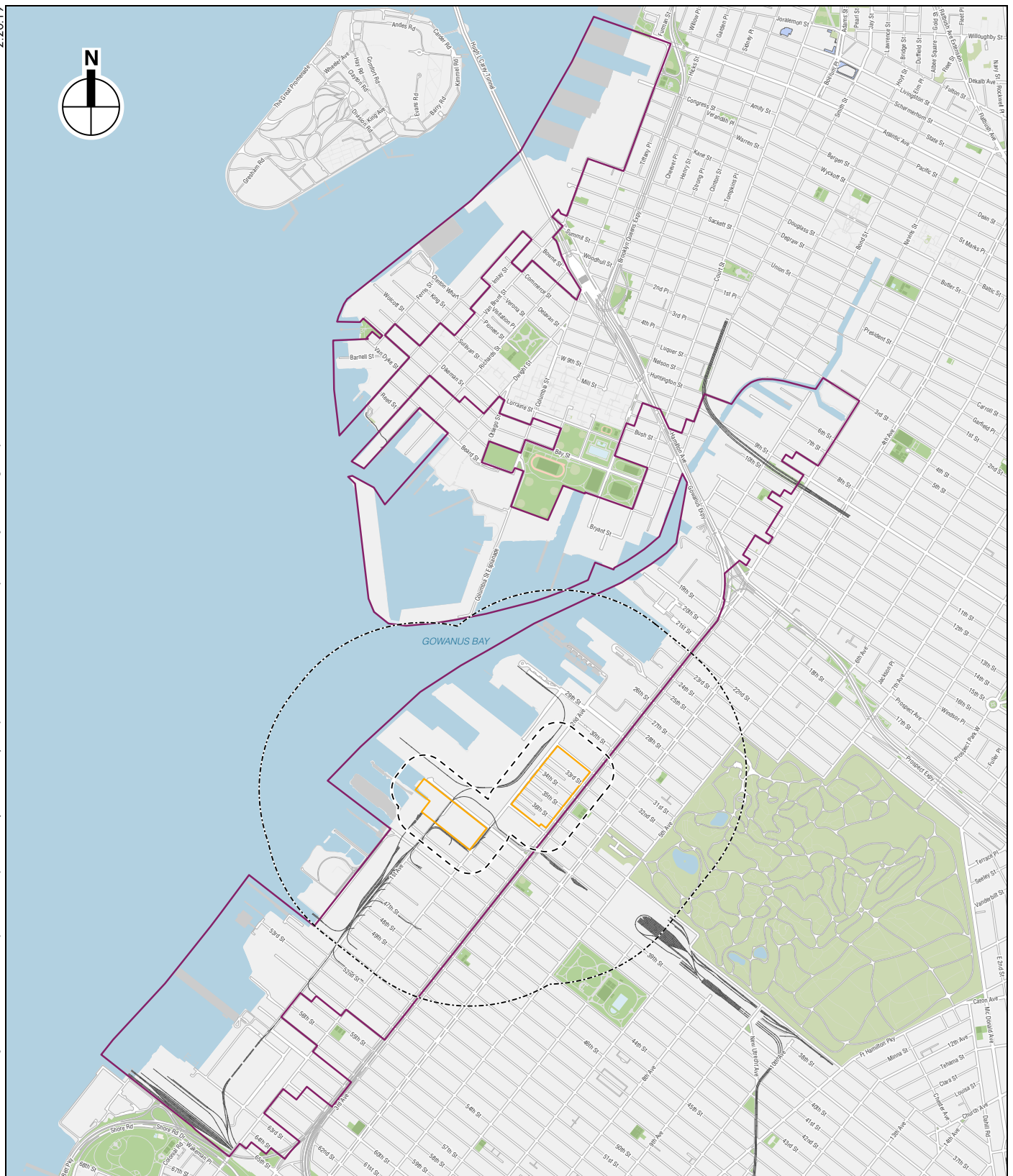
Industrial Business Zones represent the most active industrial areas in New York City. As such, the City's vision and goals for these active industrial areas called for the regulation of self-storage facilities which were seen as a low job-generating use that primarily serves household rather than business needs. As a result, In December 2017 the City Council approved a DCP proposed zoning text amendment to impose restrictions on new self-storage facilities within New York City's most active industrial areas. The zoning text amendment was designed to promote the future availability of siting opportunities for industrial, more job-intensive uses.

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) GREEN INFRASTRUCTURE PLAN

DEP's Green Infrastructure Plan is designed to achieve better water quality and sustainability benefits than the all-Grey Strategy that is mandated or is currently under consideration. The Green Infrastructure Plan has several key components: build cost-effective grey infrastructure, optimize the existing wastewater system, control runoff from 10 percent of impervious surfaces through green infrastructure, institutionalize adaptive management, model impacts, measure CSOs, and monitor water quality; and engage and enlist stakeholders. The current all-Grey Strategy does not provide any emphasis on green infrastructure and other source controls and does not provide substantial, quantifiable sustainability benefits. The Green Infrastructure Plan will also provide information on these areas.

DOT TEN-YEAR CAPITAL STRATEGY

The City of New York plans to invest \$95.85 billion over the next decade to improve infrastructure, buildings, and neighborhoods across the five boroughs. DOT's Ten-Year Capital Strategy sets forth the City's approach to capital planning and investment, and describes anticipated levels of spending through 2027. The guiding principles and investment priorities outlined here reflect the Mayor's vision for shaping a stronger and more just city through capital investment. They serve as a guide for capital planning and subsequent capital budgets and commitment plans over the next decade, and provide for a more economically, environmentally, and fiscally resilient future.



- Directly Affected Area
- Primary Study Area (400-foot boundary)
- Secondary Study Area (1/2-mile boundary)
- South Brooklyn Industrial Business Zone (IBZ)

0 2,500 FEET

South Brooklyn Industrial Business Zone (IBZ)

Figure 2-6

DOT currently has a number of ongoing projects within Brooklyn Community District 7 that focus on pedestrian and cyclist safety. At 3rd Avenue and 36th Street, there are planned streetscape enhancements that includes the installation of curb extensions, shortening crossing distances and improving pedestrian visibility, and expanding the center median islands to improve sightlines and provide additional queue space for pedestrians crossing the street. The 4th Avenue Great Streets project is another DOT proposal that will create pedestrian refuge islands at intersections, shortening pedestrian crossings and improving visibility between pedestrians and motorists. The proposal incorporates curbside parking, protected bike lanes to accommodate the growing number of cyclists, as well as streetscape beautification by adding space for public art, CityBenches, planted and landscaped space along the sidewalk, median, and pedestrian refuge areas. DOT is also working on Sunset Park Upland Connectors, particularly at 43rd Street and 58th Street safety improvements. The Upland Connectors project seeks to develop a plan with the community to establish safe and inviting pedestrian and bicycling routes connecting the upland community to waterfront destinations. These upland connector routes combine pedestrian safety improvements, bike facilities, landscaping, and wayfinding to create more inviting environmentally sustainable spaces. The DOT School Safety Program 4 project identifies pedestrian improvements at the intersection of 3rd Avenue with 40th and 41st Streets, and at the intersection of 4th Avenue and 38th Street. The program seeks to convert existing pedestrian crosswalks to high visibility crosswalks. It would also implement corner curb bulb-outs at the southeast corner of southbound 4th Avenue and 40th Street, northwest corner of northbound 4th Avenue at 41st Street, and northwest corner along 38th Street at 4th Avenue. The program also includes the restriping of the eastbound 38th Street approach. An additional project included in the DOT Ten-Year Capital Strategy is the Brooklyn Waterfront Greenway (mentioned above under the discussion of Vision 2020). Within the Directly Affected Area, the Ten-Year Capital Strategy also includes on-going infrastructure improvements at the Bush Terminal, including a bike lane along 2nd Avenue, and the Brooklyn Army Terminal, located just outside of the Secondary Study Area.

NEW YORK CITY SPECIAL INITIATIVE FOR REBUILDING AND RESILIENCY

On June 11, 2013, the City released “A Stronger, More Resilient New York,” a comprehensive plan that contains actionable recommendations both for rebuilding the communities impacted by Sandy and for increasing the resilience of infrastructure and buildings City-wide. This initiative identifies the Brooklyn-Queens waterfront as home to a great diversity of people, a vital economic engine for the City, and the site of critical infrastructure serving the entire city. The Brooklyn-Queens waterfront includes the Sunset Park neighborhood, and locations within the Directly Affected Area, Primary Study Area, and Secondary Study Area.

CITYWIDE FERRY SERVICE (CFS)

In 2017, EDC implemented a Citywide Ferry Service (CFS) that would serve Manhattan, Brooklyn, and Queens. The expanded ferry service was intended to provide numerous benefits to the City, including linking isolated areas to established business districts, supporting commercial and residential development in emerging waterfront areas, easing congestion on other transit systems, and providing a resilient transit alternative to support the goal of strengthening the City’s infrastructure to handle future storm and flooding events. In addition, the CFS was intended to provide additional service for recreational ferry users to waterfront parks and open spaces such as Pugsley Creek Park in the Bronx; Gantry Plaza State Park in Long Island City, Queens; Governors Island; and Brooklyn Bridge Park in Brooklyn, and near other waterfront parks and open spaces such as public beaches in the Rockaways, thereby supporting expanded visitation of parks and open spaces and the citywide effort to increase recreational activity on the waterfront.

There is an existing CFS stop at Brooklyn Army Terminal, just outside of the Secondary Study Area. The Brooklyn Army Terminal CFS stop is part of the larger South Brooklyn Route. The CFS South Brooklyn Route connects the following stops: Wall Street, Pier 102 (Governors Island), Dumbo (Brooklyn Bridge Park – Pier 1), Atlantic Avenue (Brooklyn Bridge Park – Pier 6), Red Hook (Atlantic Basic), Sunset Park (Brooklyn Army Terminal), and Bay Ridge. The Brooklyn Army Terminal CFS stop also provides a connection to the Rockaway Route, which provides the following stops: Wall Street (Pier 11), Sunset Park (Brooklyn Army Terminal), and Rockaway.

MI HOTEL ZONING

In December 2018, the City Council approved a zoning text amendment to establish a new Special Permit under the jurisdiction of CPC for new hotels, motels, tourist cabins and boatels in light manufacturing (M1) districts citywide.

With this zoning text amendment, DCP has amended the zoning framework for M1 districts to ensure that sufficient opportunities to support industrial, commercial, residential and institutional growth remain in light of the rapid increase in hotels in M1 districts since 2010, particularly in areas near transit. The newly established CPC special permit allows for a case-by-case, site-specific review process to ensure that hotel development occurs only on appropriate sites, based on reasonable considerations regarding the achievement of a balanced mix of uses and jobs in the area and other opportunities for the future siting of a permitted use on the site. The CPC special permit allows for the consideration of appropriateness of hotel development in both the actively light industrial areas, where hotels and existing uses are potentially incompatible, and the more mixed-use areas within M1 districts, where the City may want to direct growth towards various other employment sectors or additional housing. The CPC special permit still allows hotels to serve the needs of the tourism industry when appropriate.

The M1 hotel special permit text prevents the development of hotels as-of-right in the M1-2 portion of the Project Area.

SUNSET PARK 197-A PLAN

The City Charter, in Section 197-a, authorizes community boards and borough boards, along with the Mayor, CPC, DCP, and any Borough President, to sponsor plans for the development, growth, and improvement of the city, its boroughs and communities. Once approved by CPC and adopted by the City Council, 197-a plans guide future actions of city agencies in the areas addressed in the plans.

The Sunset Park 197-A Plan focuses on the Sunset Park waterfront area in Brooklyn Community District 7, which is generally bounded by 15th Street, 3rd Avenue/Gowanus Expressway, 65th Street, and the pier head line/Upper New York Bay. The plan also includes some recommendations for the entire CD 7 area, which is bounded by 15th Street, Ft. Hamilton Parkway/8th Avenue, 65th Street, and the pier head line/Upper New York Bay.

The plan lays out a comprehensive approach for economic revitalization along the Sunset Park waterfront, premised upon increasing connectivity between upland residential communities and economic opportunities along the waterfront. Key objectives and recommendations from the plan include: (1) conversion of vacant or underutilized property into job-intensive industrial uses; (2) development of a vocational training center or new university branch/campus to prepare students for jobs in the manufacturing and hi-tech sectors; (3) improvements to pedestrian and cyclist safety and expansion of public transit access to the waterfront; (4) creation of additional open space and

Industry City

community/cultural facilities to establish a sense of place along the waterfront; (5) increased energy efficiency and reduced emissions; and (6) preservation of historic buildings and infrastructure.

SUNSET PARK BROWNFIELD OPPORTUNITY AREA (BOA)

The New York Department of State's Brownfield Opportunity Areas (BOA) Program supports communities with guidance, expertise, and financial assistance to complete BOA Nomination Plans, which are revitalization strategies for neighborhoods or areas affected by brownfields or economic distress. Brownfields are dormant properties where contamination or perceived contamination has halted investment and redevelopment. Through the BOA program, brownfields are transformed from liabilities to community assets that create businesses, jobs, and revenues for local economies and provide new housing and public amenities.

In 2015, Governor Cuomo announced the designation of 11 new BOAs across the state, including the Sunset Park BOA. The Sunset Park BOA study area is contiguous with the boundaries of the Sunset Park 197-A Plan. The BOA Nomination Plan identifies eight "strategic sites" within the study area for redevelopment; these include Building 26 within Industry City. The goals for the sites include: (1) increase job opportunities for local residents, especially through the encouragement of sustainable industry and green jobs; (2) decrease environmental hazards and facilitate remediation and redevelopment of key brownfield properties in the BOA study area; (3) work with area businesses, the City, and the State to develop environmentally friendly business practices; (4) create new open space and areas of outdoor recreation in Sunset Park that will reconnect the residential community to its waterfront; (5) preserve existing affordable housing and encourage new housing development on brownfield sites where appropriate; and (6) build for greater climate resiliency.

D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

LAND USE

DIRECTLY AFFECTED AREA

In the No Action condition, it is expected that no new development would take place within the Directly Affected Area.

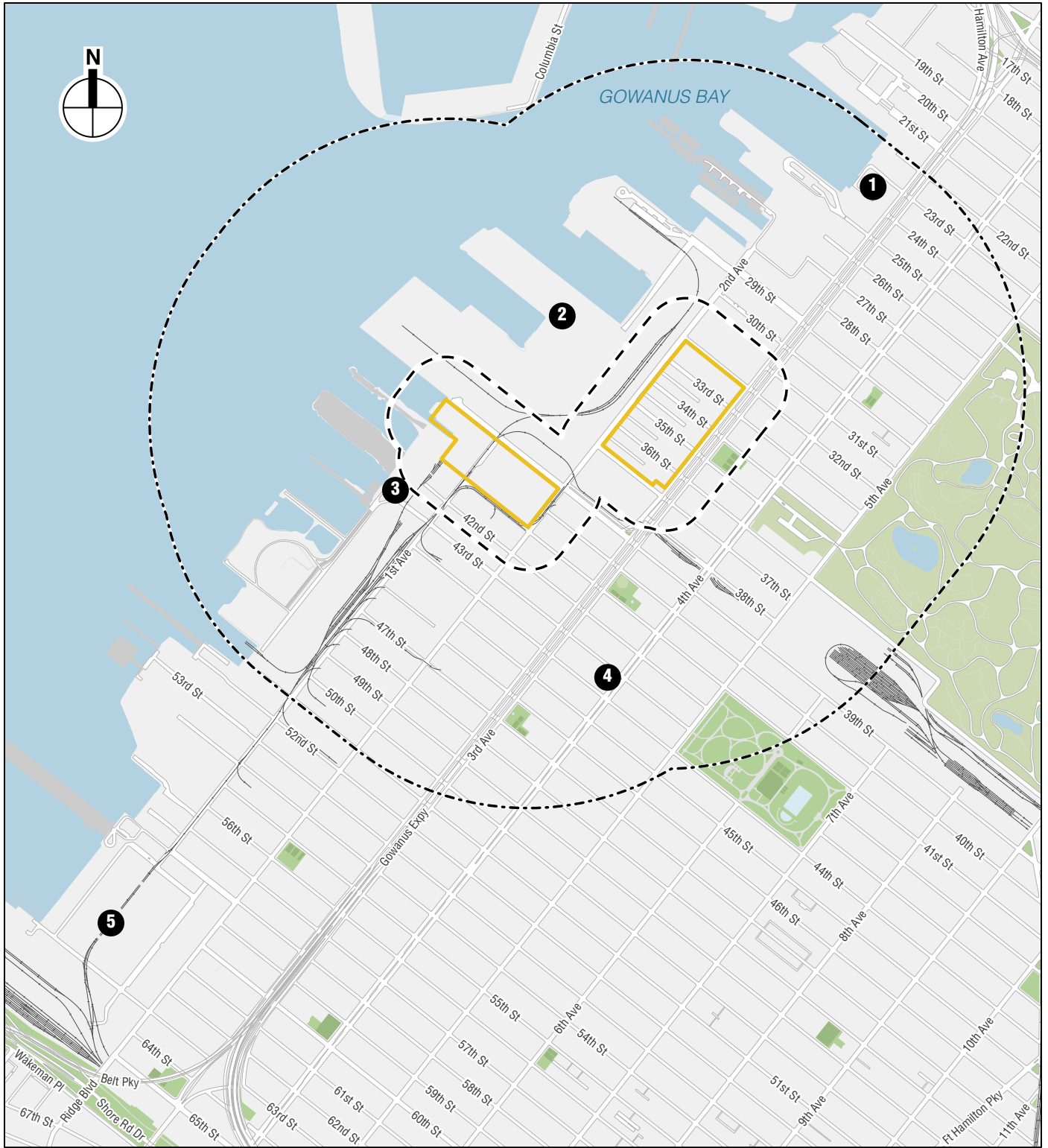
Based on the current leasing rates and tenant roster, it is anticipated that the reduction in vacancy within the No Action scenario would coincide with a ten percent increase in Innovation Economy, which would be accommodated by the existing building stock at Industry City. It is assumed that some of currently vacant space in the Finger Buildings at Industry City would be re-occupied by storage/warehousing or Innovation Economy uses.

In the future without the Proposed Actions, the creation of substantial new retail or any hotel space would not take place, the establishment of the Innovation Economy District would not occur, and a large portion of the existing underutilized space would remain underutilized/vacant.

The one-story building that abuts Building 9 to the west (882 3rd Avenue, Block 679, Lot 1) and the former Bush Terminal powerhouse at 2nd Avenue and 32nd Street (Block 679, Lot 1), both currently vacant, would be demolished in order to accommodate new parking spaces and stacked parking in the No Action condition.

PRIMARY STUDY AREA

There is currently one redevelopment project in the Primary Study Area: SBMT (see **Table 2-2** and **Figure 2-7**). SBMT is located along the Bay Ridge Channel in the Sunset Park neighborhood



- Directly Affected Area
- Primary Study Area (400-foot boundary)
- Secondary Study Area (1/2-mile boundary)
- 1 No Build Project

0 1,000 FEET

of Brooklyn. Decades ago, the 88-acre site was primarily used for industrial maritime operations. More recently, a small portion of SBMT to the north has been used for recycling operations, with the majority of the site vacant and underutilized with some infrastructure improvements such as rail connections and a new electrical substation installed in recent years.

In 2015, EDC along with representatives from local community groups, businesses, and elected officials established and convened a Task Force. The Task Force developed goals for the SBMT Request for Proposals (RFP), ~~which has since been released.~~ According to the RFP, the purpose of the project would be to reactivate maritime service at SBMT for handling general cargo, special cargo, automobiles and other vehicles, break-bulk, and other commodities. In May 2018, EDC selected Red Hook Container Terminal and Industry City to operate the terminal. ~~SBMT will~~The initiative was to include a vibrant cluster of maritime activity and ~~is~~was anticipated to bring new industrial uses and jobs to the South Brooklyn waterfront over the course of the long-term lease through 2054.⁵

~~The project, which is anticipated to be complete by 2027, would reactivate the terminal into a vibrant cluster of maritime activity that will bring new industrial uses to the South Brooklyn Waterfront.~~

Subsequently, in February 2020, the City announced a pledge to redirect its planned funding for SBMT to support the use of the site by Equinor, a Norwegian energy company, for staging, installation, and maintenance activities related to the offshore wind farm that is currently being developed to deliver power to New York City. The offshore wind support facility at this site is expected to be operational by 2023. **Table 2-2** summarizes the development projects expected to be completed in the Primary and Secondary Study Areas by 2027, and **Figure 2-7** shows their location. It should be noted that the guidelines of the *CEQR Technical Manual* requires the consideration of whether projects require discretionary approvals and the status of those approvals when determining the appropriateness of including the project in the No Action condition. Although an initial feasibility study has been conducted for the Brooklyn Queens Connector (BQX), the status of the proposal is still unknown; and therefore, it has not been included as part of this analysis.

⁵ ~~“New York Works: NYCEDC Announces Transformation of South Brooklyn Maritime Shipping Hub, Creating over 250 jobs in the Near Term.” <https://www.nycedc.com/press-release/new-york-works-nycede-announces-transformation-south-brooklyn-maritime-shipping-hub>~~

Table 2-2
Development Projects in the Study Areas

Fig. Ref. ¹	Project Name/Address	Project Description/Program	Completion Date ²
1	Moore McCormack (EDC)	60,000 sf of industrial space	2019
2	South Brooklyn Marine Terminal (SBMT)	SBMT is anticipated to increase its maritime and industrial uses, including but not limited to the expansion of the SIMS Recycling facility. Redevelopment as Equinor offshore wind farm support facility.	2027 2023
3	NY Campus at Bush Terminal (Phase I)	200,000 sf industrial use	2021 ³
4	4302 4th Avenue	300 seat public school	2019
5	Brooklyn Army Terminal	500,000 sf industrial use	2019
Notes: ¹ See Figure 2-4 . ² Planned projects with unknown completion dates are assumed for purposes of this analysis to be complete by the analysis year of 2027. ³ Terminal phase 1 is 2021—the garment component in the northern part of Bush Terminal, a portion of which is in the primary study area. Phase II for which an RFP was recently issued is for 200,000 sf for film, production, media, and the build year is uncertain at this time. Phase II would be located further south, located in the secondary study area. ⁵⁷			
Sources: DOB; EDC; AKRF, Inc. field survey, December 2017			

SECONDARY STUDY AREA

There are a total of 5 No Build projects planned for development in the Secondary Study Area (this includes the no build project within the Primary Study Area, discussed above). Although development is occurring in various locations, there is a particular trend of industrial development along the waterfront. Outside of industrial development, there is one community facility anticipated to open in the Secondary Study Area by 2019. In total, an approximately 300 seat public school and over 760,000 sf of industrial uses are anticipated to be built (see **Table 2-2** and **Figure 2-7**).

ZONING

As mentioned above in “Existing Conditions,” two zoning amendments have recently been approved by the City Council. First, a zoning text amendment to impose restrictions on new self-storage facilities within New York City’s most active industrial areas, and second, a zoning text amendment to establish a new Special Permit under the jurisdiction of the CPC for new hotels, motels, tourist cabins and boatels in M1 districts citywide. As a result of the approval of this zoning text amendment regarding hotels, any planned hotel uses located within an M1 district will require a special permit.

It should be noted that EDC projects at the SBMT and Bush Terminal are expected to include zoning map and/or text amendments, as the sites are currently located in manufacturing districts that may not permit the intended density and range of uses; however, specific zoning changes have not been proposed at this time.

PUBLIC POLICY

As described below, there are a number of anticipated changes to public policy expected to influence the three study areas in the No Action condition. All other existing public policies are expected to remain in effect unaltered.

VISION 2020 COMPREHENSIVE WATERFRONT PLAN

Vision 2020: New York City Comprehensive Waterfront Plan, released in 2011, provided a framework to better connect New Yorkers and the waterfront by increasing water transport, public access to the waterfront, and economic development. The Directly Affected Area is located within one of Vision 2020's 20 neighborhood reach areas. As detailed in Vision 2020, the strategies outlined for Brooklyn Upper Bay South are to facilitate open space improvements at street-ends in coordination with approved plans and zoning regulations for adjacent sites, and support the appropriate alignment of the Brooklyn Waterfront Greenway Master Plan, guiding the creation of a 14-mile waterfront path between Newtown Creek and the Shore Parkway Greenway. A stretch of the Brooklyn Waterfront Greenway, called the Sunset Park North Brooklyn Waterfront Greenway, includes a portion of 2nd Avenue within the Directly Affected Area and the extended Primary and Secondary Study Areas as well.

SUNSET PARK WATERFRONT VISION PLAN

As mentioned above, the Sunset Park Waterfront Vision Plan outlines a sustainable urban industrial district that balances neighborhood, city-wide, and industrial development goals through physical and policy based investments. This plan, crafted by EDC, DCP, and SBS, developed recommendations for reinvestment and short-term, medium-term, and long-term implementable projects. These projects include DOT Ten-Year Capital Strategy projects (mentioned below) and EDC's Reconstruction of Sunset Park project—proposed improvements along 3rd Avenue between 37th and 39th Streets; 39th Street between 3rd Avenue and the waterfront; and 1st and 2nd Avenues between 39th and 44th Streets.

- Along 3rd Avenue, the project would implement corner curb extensions at the northwest and southwest corners of the intersection with 37th Street, and close the southbound 3rd Avenue slip ramp at 39th Street (normalizing the intersection). The closure of the slip ramp would also necessitate a shift of the existing bus stop from the slip ramp to the westbound 39th Street receiving side.
- At the intersection of 2nd Avenue and 39th Street, the west curb along the north leg of 2nd Avenue would be extended to align with the sidewalk extension identified in the Sunset Park North Brooklyn Waterfront Greenway project. The northwest corner and the median area along the east leg of 39th Street and the Gowanus Expressway ramp would be redesigned to accommodate truck turns from the Gowanus Expressway ramp. In addition, a north crosswalk would be striped at this intersection. The segment of 39th Street between 2nd Avenue and the waterfront would be restriped with one travel lane and one wide parking lane in each direction.
- 1st and 2nd Avenues between 39th and 44th Streets would be restriped to incorporate new pedestrian crosswalks, implement a corner curb extension at the southeast corner of 1st Avenue and 43rd Street, and close the channelized right turn lane at 1st Avenue and 41st Street (normalizing the intersection).

The projects detailed above would also convert existing standard and school crosswalks to high visibility crosswalks.

In addition to roadway improvements, the plan outlines initiatives to modernize Bush Terminal. In 2009, the City began investing money to upgrade City-owned buildings and infrastructure at Bush Terminal. Improvements included critical utility installation, roadway reconstruction, and the modernization of the railroad connection through the campus. In 2014, Bush Terminal Pier Park was constructed as part of an initiative to improve pedestrian access to the waterfront. The

plan also includes two phases of anticipated development on the Made in NY Campus at Bush Terminal. Phase I will develop the fashion and garment component of the Made in NY Campus within the northern part of Bush Terminal. This development is anticipated to be constructed by 2021 (detailed below). Phase II, a plan to lease and develop film and media production also within the Made in NY Campus on Bush Terminal, is currently accepting RFPs from developers (detailed below). Further information on the timeline of this development is not known at the time.

SOUTHWEST BROOKLYN INDUSTRIAL BUSINESS ZONE

As mentioned above, in December 2017 the City Council approved a DCP proposed zoning text amendment to impose restrictions on new self-storage facilities within New York City's Industrial Business Zones. The zoning text amendment was designed to promote the future availability of siting opportunities for industrial, more job-intensive uses.

Therefore, in the future without the Proposed Actions, any new self-storage facilities development would be restricted within the Southwest Brooklyn IBZ.

DOT TEN-YEAR CAPITAL STRATEGY

As mentioned above, DOT currently has a number of ongoing projects within Brooklyn Community District 7 that are dedicated to pedestrian and cyclist safety. In the future without the Proposed Actions, it is assumed that these projects would be developed. These projects include 3rd Avenue and 36th Street planned streetscape enhancements, the 4th Avenue Great Streets project, Sunset Park Upland Connectors, the School Safety Program 4, and the Brooklyn Waterfront Greenway. As described above, the portion of the Sunset Park North Brooklyn Waterfront Greenway project within the study area will run along 2nd Avenue between 29th and 39th Streets, and will widen the west sidewalk to incorporate a two-way bike path alongside a wider pedestrian sidewalk. Within the Directly Affected Area, the Ten-Year Capital Strategy also includes on-going infrastructure improvements at the Bush Terminal, including a bike lane along 2nd Avenue, and the Brooklyn Army Terminal, located just outside of the Secondary Study Area.

M1 HOTEL ZONING

As mentioned above, DCP has proposed—and the City Council has recently approved—a zoning text amendment establishing a new special permit under the jurisdiction of CPC for new hotels, motels, tourist cabins, and boatels in M1 districts citywide. There are M1 districts present in all three study areas. Therefore, in the future without the Proposed Actions, any hotel development in an M1 district within the Directly Affected Area and the Primary and Secondary Study Areas would require a special permit.

MADE IN NY CAMPUS AT BUSH TERMINAL

The development of the Made in NY Campus will help synergize creative manufacturing uses and provide affordable, industrial facilities for garment manufacturing in Phase I by 2021, and film and media production, and related services and industries by the completion of Phase II.⁶

This project builds on the Industrial Action Plan released by Mayor de Blasio and former City Council Speaker Mark-Viverito, which includes substantial investments in City-owned assets to support thousands of good-paying industrial jobs. The development also furthers EDC's Sunset Park Vision Plan, which aims to make extensive investments in infrastructure improvements,

⁶ At the time of this EIS, the completion date for Phase II of the development of Made in NY Campus at Bush Terminal is unknown.

professionalizing maritime and rail service, and increasing and diversifying job-intensive industrial uses along the Sunset Park waterfront.

Bush Terminal is engaged in ongoing improvements to the thirty-six acre campus. As shown by the Made in NY Campus relocation to the terminal, in the future without the Proposed Actions Bush Terminal will continue with the approximately 1.4 million square feet of built improvements across eleven buildings and will be conducted in two phases. Phase I is anticipated to be constructed by 2021 and will develop the fashion and garment component of the Made in NY Campus within the northern part of Bush Terminal. Phase II, currently accepting RFPs from developers, is a plan to lease and develop film and media production within the Made in NY Campus on Bush Terminal. Further information on the timeline of this development is not known at the time.

CITYWIDE FERRY SERVICE (CFS)

As mentioned above, there is an existing CFS stop at Brooklyn Army Terminal, located just outside of the Secondary Study Area. The existing CFS stop at Brooklyn Army Terminal is part of two routes, the South Brooklyn Route and the Rockaway Route, which provides the following stops: Wall Street (Pier 11), Sunset Park (Brooklyn Army Terminal), Rockaway. In addition to the CFS that was implemented in 2017 to serve Manhattan, Brooklyn and Queens there have been considerations by EDC to add an additional CFS stop at Bush Terminal in Sunset Park; however, such considerations are preliminary, and there have been no discretionary actions proposed for environmental review.

SUNSET PARK BOA

Three development projects identified as strategic sites in the Sunset Park BOA Nomination Plan are currently planned or underway, and are expected to introduce new non-residents by 2027. These projects are identified and described in Table 2-2: Moore McCormack, Made in NY Campus at Bush Terminal and SBMT. These developments further the goals of the Sunset Park BOA by increasing job opportunities for local residents, in particular through the encouragement of sustainable industry and green jobs.

E. THE FUTURE WITH THE PROPOSED ACTIONS

LAND USE

DIRECTLY AFFECTED AREA

As discussed in detail below, the Proposed Actions would map the entire Directly Affected Area with a new special district (the SICD), and would establish an M2-4 zoning district over the majority of the Directly Affected Area. The SICD would modify certain vesting, use, sidewalk café, and waterfront public access regulations, and establish a Special Permit to allow for further modifications to use, bulk, and parking regulations. Industry City is applying for the newly established Special Permit to modify such regulations. Furthermore, the SICD Special Permit allows an applicant to apply for use modification to allow a school use, but Industry City is not currently applying for such a modification (see **Appendix A-2**, “Conceptual Analysis”). As discussed in Chapter 1, “Project Description,” the SICD is intended to be flexible enough to allow for a range of permitted use groups (UGs), including certain community facilities, local and destination retail, and hotels at various densities; and to permit the construction of a limited amount of new development; in order to support the Applicant’s vision and proposal. In total, in the future with the Proposed Actions, within the Directly Affected Area approximately 5.3 million

sf of existing structures would be re-tenanted and approximately 1.27 million sf would be constructed in the form of new buildings or enlargements of existing structures.

It should be noted that the Special Permit allows for four future development Assemblages, with a baseline assemblage (Assemblage A) which includes only property currently owned by Industry City, and alternate assemblages which include, and permit development on, some or all of the parcels not currently owned by the Applicant. Among these alternate assemblages, Assemblage B assumes development on Industry City property and land along Third Avenue between 36th and 37th Street (the parcel on which the Gateway Building would be developed: and Assemblage D includes development on Industry City property and both the Gateway and full building 21 parcels. Since it is anticipated that in the future with the Proposed Actions, all outparcels would be acquired by Industry City, and since this option would present the greatest amount of development, Assemblage D is the most conservative analysis for the Land Use, Zoning, and Public Policy assessment.⁷ Additionally, the special permit goes beyond what is typically allowed in an M2-4 district by including measures that would buffer sensitive uses from more noxious uses. The proposed amount of retail, academic, and hotel uses would be needed to support the development of millions of square feet of Innovation Economy uses (UG 6B, 9A, 10A, 11A, 16A, 16B, 17B, 17C, and 18), which would, in combination, cultivate the Innovation Economy District.

The Proposed Actions would allow for the redevelopment of the Directly Affected Area at a higher density. In particular, the as-built structures in Industry City are built at a FAR of approximately 3.9, which is over the maximum allowable FAR of 2.0 in the existing M3-1 and M1-2 zoning districts. The proposed maximum FAR of 5.0 within the area to be rezoned to M2-4, in combination with the modified height and setback regulations, would bring the existing structures into compliance with zoning regulations. The special district would permit a total blended FAR of 4.96 under Assemblage B and D, which include the small M1-2 (2.0 FAR) portion. Assemblages A and C, which do not include the M1-2 portion, would permit a total FAR of 5.0. For the purposes of analyses in this EIS, all scenarios analyzed are assumed to maximize their permitted FAR.

The Proposed Actions are intended to facilitate the creation of an Innovation Economy District at Industry City. Innovation Economy represents a broad range of businesses involved in every step of the “making” process, from research and development to design and engineering, as well as the actual manufacturing of products.

Specifically, the Proposed Actions are needed because the Directly Affected Area’s current zoning does not allow and encourage the range of uses necessary to support the re-tenanting and development of Industry City. While the current M3-1 zoning district allows industrial, manufacturing, and office, uses it only allows certain limited retail uses and does not allow any community facility or hotel use. The existing zoning discourages investments in portfolio-wide building modernizations, preventing Industry City from further re-tenanting existing buildings. While the Applicant anticipates that Innovation Economy uses at Industry City would continue to grow at a modest pace over the coming decade, deferred maintenance investments, amidst increasing competition from other campuses employing the mixed-use model, would result in declining manufacturing, artisanal manufacturing, and office use at Industry City over the long term. The Applicant believes that the majority of new leasing over the short to medium term would be comprised of less employment-dense uses, such as storage and warehousing, absent

⁷ See Table 1-2 in Chapter 1, “Project Description.”

modernization of Industry City, which would severely limit Industry City's potential to become an anchor for modern manufacturing and the Innovation Economy along the Brooklyn waterfront.

The existing land uses in the Directly Affected Area are manufacturing, light manufacturing and creative uses, office, retail, the Nets training facility, event space, storage and warehousing, vertical circulation and mechanical space, as well as vacant space. The Proposed Actions would primarily facilitate an expansion of existing uses within Industry City and introduce a limited amount of new academic and hotel uses that the Applicant believes would have synergies with existing land uses. While these new uses do not currently exist in this form in the Project Area, they do exist in the neighborhood (in the case of hotels and other educational institutions, see Study Area, below), and in the form of trade schools within the Project Area. Therefore, in the future with the Proposed Actions, the Project Area would continue to be compatible with the land uses already within the Directly Affected Area and would not result in significant adverse land use impacts.

STUDY AREAS

While the Proposed Actions would only apply to the Directly Affected Area, it is important to note that the Proposed Actions would still be compatible with the land uses in both the Primary and Secondary Study Areas. Similar to the Directly Affected Area, the Primary Study Area is composed of a similar mix of uses. While the area is primarily manufacturing, transportation and commercial, the Primary Study Area also includes residential uses, parking, open space and vacant land. Similarly, the Secondary Study Area includes all the uses found in the Directly Affected and Primary Study Areas, as well as community facilities and hotels uses, two uses included as part of the Proposed Actions that do not currently exist at Industry City.

The combination of uses introduced by the Proposed Actions would also be consistent with manufacturing and community facility uses introduced by the five no build projects located in the Secondary Study Area. Therefore the Proposed Actions would be compatible with and supportive of land uses in the surrounding area and would not result in significant adverse land use impacts.

ZONING

DIRECTLY AFFECTED AREA

The Proposed Project requires discretionary approvals from CPC, including a Zoning Map amendment, a zoning text amendment, a change to the City Map, and a special permit to modify use, bulk, and other regulations. Below is a detailed description of the Proposed Actions, how they relate to the Applicant's proposed development, and the anticipated result of the Proposed Actions within the Directly Affected Area, in general.

The Applicant is requesting the following discretionary actions:

1. A Zoning Text amendment to establish the SICD, and otherwise modify the following sections of the Zoning Resolution (see **Appendix A-3**, "Special Industry City District"):
 - a. Section 11-222: Districts Established
 - b. Section 12-10: Definitions
 - c. Section 13-44: Special Zoning Districts Where Certain Sidewalk Cafes are Permitted
 - d. Section 63-13: Applicability of District Regulation (within Special Regulations Applying in the Waterfront Area;

2. A Zoning Map amendment to map the SICD on the entirety of the Directly Affected Area and to change the portion of the Directly Affected Area currently zoned M3-1 (Block 679, Lot 1; Block 683, Lot 1; Block 687, Lot 1; Block 691, Lots 1, 44, 45, and 46; Block 695, Lots 1 and 20; Block 706, Lots 1, 20, 24, and 101; Block 710, Lot 1; and a small portion of Block 662, Lot 1) to an M2-4 zoning district (“M2-4/IC”); the portion of the Directly Affected Area currently zoned M1-2 (Block 695, Lots 37-43) would be included in the boundaries of the SICD but would remain zoned M1-2 (“M1-2/IC”) (collectively, the above-referenced parcels comprise the “Rezoning Area”).
3. A Special Permit pursuant to newly created ZR Section 129-21 to modify use, bulk and other requirements pursuant to findings and a site plan. The Special Permit proposes to modify the following sections of the Zoning Resolution:
 - a. Sections 11-42 & 11-43: Lapse/Renewal of Authorization or Special Permit
 - b. Section 42-10: Uses Permitted As-of-Right
 - c. Sections 42-272 and 42-275: Performance Standards
 - d. Section 43-10: Floor Area Regulations
 - e. Section 43-20: Yard Regulations
 - f. Section 43-40: Height and Setback Regulations

In conjunction with the Special Permit, additional restrictions and requirement will apply with respect to off-street parking. Specifically, the maximum size of permitted accessory group parking facility may be increased to 500 spaces provided the Commissioner of Buildings makes certain determinations, and accessory off-street parking spaces may be located on zoning lots other than the same zoning lot as the use to which they are accessory.
4. A change to the City Map to demap 40th Street between 1st Avenue and 2nd Avenue.

Zoning Text Amendment

The Applicant proposes a zoning text amendment to create the SICD. The SICD would be coterminous with the Directly Affected Area (see **Figure 2-1**). The new special district would establish certain use regulations, modify applicable performance standards, modify waterfront public access regulations, modify the applicability of underlying parking regulations, and establish a Special Permit to further modify use, bulk, and other regulations, as follows:

- All uses within the SICD established after the date of adoption, with the exception of certain distilleries approved by the New York City Fire Department (FDNY), would be required to adhere to M1 performance standards. Each manufacturing district incorporates performance standards limiting the type of industrial nuisances permitted. Performance standards limit nuisances including noise, vibration, emissions, odor, radiation, fire and explosive hazards, humidity heat, and glare. M1 district performance standards are the most stringent manufacturing district standards.
- The underlying waterfront public access regulations will be inapplicable should a special permit be granted pursuant to the SICD which includes zoning lots both within a waterfront block and outside a waterfront block.⁸

⁸ While the SICD would exempt waterfront land from public access regulations, a public access area will be required pursuant to the Restrictive Declaration, provided certain conditions are met, as described below under “Special Permit.”

- Within an area that is subject to a Special Permit pursuant to the SICD, the underlying parking regulations of an M2-4 district would also apply within an M1-2 district.
- A new Special Permit would be established which permits CPC to further modify use, bulk, and other regulations, as discussed below.

This Special Permit would allow property owners within the SICD flexibility to broaden the range of permitted uses to allow certain community facilities, retail establishments, and hotels limited in overall size and location, and to modify bulk regulations including height and setback and yards, as discussed further below. In addition, the SICD would allow the application of a special permit to allow for a school use pursuant to a special permit (see **Appendix A-2**, “Conceptual Analysis”).

Special Permit Use Regulations

The CPC may permit the following uses not otherwise permitted within the SICD, subject to certain findings:

- The following community facility uses listed in UG 3A, limited to a maximum total of 625,000 square feet of floor area: colleges or universities, including professional schools; libraries, museums or non-commercial art galleries; and schools;
- Hotels listed in UGs 5A and 7A;
- Retail and Service establishments listed in UGs 6A, 6C, 7B, 8B, 9A, 10A, 12B, and 14A, limited to a maximum total of 900,000 square feet of floor area.⁹ Such establishments would be required to provide parking at a rate of one space per 500 square feet of floor area in excess of 120,000 square feet;
- Physical culture or health establishments (i.e., gyms), which shall be considered UG 9A uses; and
- Distilleries, as listed in UG 18A as an alcoholic beverage manufacturing establishment, subject to the approval of FDNY.

Special Permit Bulk Regulations

The CPC may also permit modifications to the underlying bulk regulations including height and setback, yards, and location of floor area subject to certain findings, and with the exception of maximum permitted FAR, which may not be modified.

Special Permit Other Regulations

Finally, the CPC may permit, via the Special Permit, the modification of off-street parking regulations as follows:

- Accessory parking may be located on any zoning lot within the Special Permit area;
- The maximum number of parking spaces permitted in an accessory parking facility may be increased to a maximum of 500 spaces, provided certain findings are made by the Commissioner of Buildings; and
- The Special Permit will vest upon issuance by the DOB of a Certificate of Occupancy, or an equivalent, for any use not permitted by the underlying district regulations.

⁹ Certain UGs 9A and 10A uses, including depositories for storage of office records, microfilm or computer tapes, or for data processing, photographic or motion picture production studios, radio or television studios, and art, music, dancing, or theatrical studios will not be limited as to aggregate floor area.

Zoning Map Amendment

The Applicant proposes to map the SICD and to rezone a portion of the Directly Affected Area from an M3-1 zoning district to an M2-4 zoning district (Block 679, Lot 1; Block 683, Lot 1; Block 687, Lot 1; Block 691, Lots 1, 44, 45, and 46; Block 695, Lots 1 and 20; Block 706, Lots 1, 20, 24, and 101; Block 710, Lot 1; and a small portion of Block 662, Lot 1). The portion of the Directly Affected Area that is zoned M1-2 (Block 695, Lots 37–43) will remain an M1-2 district but will be included in the SICD (see **Table 2-3** and **Figure 2-8**).

Table 2-3
With Action Scenario—Proposed Zoning Change

Block, Lot Number	Existing Zoning District	Proposed Zoning District ¹
B662, p/o L1	M3-1	M2-4
B679, L1	M3-1	M2-4
B683, L1	M3-1	M2-4
B687, L1	M3-1	M2-4
B691, L1	M3-1	M2-4
B691, L44	M3-1	M2-4
B691, L45	M3-1	M2-4
B691, L46	M3-1	M2-4
B695, L1	M3-1	M2-4
B695, L20	M3-1	M2-4
B695, L37	M1-2	M1-2
B695, L38	M1-2	M1-2
B695, L39	M1-2	M1-2
B695, L40	M1-2	M1-2
B695, L41	M1-2	M1-2
B695, L42	M1-2	M1-2
B695, L43	M1-2	M1-2
B695, L45	M1-2	M1-2
B695, L46	M1-2	M1-2
B706, L1	M3-1	M2-4
B706, L20	M3-1	M2-4
B706, L24	M3-1	M2-4
B706, L101	M3-1	M2-4
B710, L1	M3-1	M2-4
Note: ¹ SICD		

The Proposed Actions would map an M2-4 district over the majority of the Directly Affected Area which is currently mapped M3-1, with a small portion of the Directly Affected Area remaining an M1-2 district (see **Figure 2-8**). M2-4 districts generally permit commercial uses and manufacturing uses with lower performance standards than in M1 districts, however the SICD zoning text, discussed above, would require all uses to conform to M1 performance standards. Residential uses are not permitted in M2-4 districts. With respect to building bulk, the as-built structures within Industry City are built at a FAR of approximately 3.9, which is over the maximum allowable FAR of 2.0 in the existing M3-1 and M1-2 zoning districts. The proposed maximum FAR of 5.0 within the area to be rezoned to M2-4, in combination with the existing maximum FAR of 2.0 in the area to remain zoned M1-2, would result in a new overly blended maximum FAR of 4.96 This would bring the existing structures into compliance with zoning regulations and permit the construction of new buildings within limited areas of the SICD, as discussed further below.

In addition, while a portion of the Directly Affected Area would be rezoned to an M2-4 district, it would be in keeping with the light manufacturing and broader range of uses allowed in the M1-2 and M1-2D zoning districts found in the Primary and Secondary Study Areas. In addition, the existing M3-1 zoning districts are generally intended for heavy industries that generate noise, traffic, or pollutants. Industries such as control plants, power plants, oil refiners, and fertilizer manufacturers are more likely to be found in M3-1 zoning districts. While there is a need for heavy manufacturing zoning districts like M3-1 districts, it is not in keeping with the larger Sunset Park neighborhood. The rezoning under the Proposed Actions would facilitate uses at Industry City that would be more representative of the balance of uses in the Primary and Secondary Study Areas—light manufacturing, office, hotel, retail, event space, and community facilities. In addition, rezoning a portion of the Directly Affected Area would be in keeping with M1-2 and M1-2D zoning districts already located in the Primary and Secondary Study Areas east and south of the Directly Affected Area. While parking is typically not required in M2-4 districts, it would be required in conjunction with certain Special Permit uses as set forth in the SICD.

Special Permit

The proposed special permit sought pursuant to the SICD would allow for the following:

- Modifications to the bulk regulations of the underlying zoning districts to:
 - Allow encroachments to the underlying district’s sky-exposure-plane regulations;
 - Wave certain rear yard requirements for new buildings or enlargements; and
 - Allow the maximum permitted floor area to be transferred among zoning lots within the Special District without regard to zoning lot lines.
- Modifies the use regulations of the underlying zoning district by:
 - Permitting certain uses that are not allowed as-of-right; and
 - Establishing controls for locating certain uses in proximity to other potentially heavier, noxious uses.
- Modifies other regulations of the underlying zoning district with respect to parking, curb cuts, and special permit lapsing; and
- Require the provision of a waterfront public access area under certain circumstances.

Modification of Underlying Bulk Regulations

Neither the proposed M2-4 district nor the SICD establishes maximum height limitations for buildings. However, the Special Permit would set forth maximum building envelopes outside of which development would not be permitted. In addition to maximum height limits, the Special Permit would allow for certain penetrations to sky-exposure-plane regulations. Specifically, the Special Permit would:

- Allow most existing and new buildings within the Finger Buildings area to rise to maximum base heights of 85 feet before a required setback of 10 feet from avenues and 15 feet from side street-equivalent, and maximum building heights of 110 feet. (Most existing buildings in this area currently rise to heights of approximately 85 feet.)
- Allow the proposed new Gateway Building and Building 11 to rise to maximum building heights of 170 feet. (Existing Building 10 currently rises to a height of approximately 170 feet.)
- Allow existing and new buildings within the 39th Street Buildings area to rise to maximum base heights of 120 feet before a required setback of 20 feet from all streets, and maximum

building heights of 150 feet. (Most existing buildings in the area currently rise to heights of approximately 115 feet, with the recently enlargement of Building 19/20 for the New York Nets Training Facility rising to a height of approximately 139 feet.)

The Special Permit would waive certain rear yard requirements for new buildings or enlargements, and allow the maximum permitted floor area to be transferred among zoning lots within the Special District without regard to zoning lot lines.

The Special Permit would also require, via the accompanying restrictive declaration that will be recorded against all Industry City properties, the provision of a waterfront public access area in the event Building 24 were to be converted to predominantly non-industrial uses and the Industry-City-owned property along the waterfront were merged with adjacent City-owned property along the waterfront.¹⁰

Modification of Underlying Use Regulations

In addition to the uses permitted as-of-right in the M2-4 district, the proposed Special Permit would allow the following uses: colleges and universities; libraries, museums, non-commercial art galleries (UG 3A); Physical Culture Establishments (i.e., gyms); large-scale retail (UG 19A among other retail uses); and hotels (UG 5 and 7A). While permitted uses must be able to meet M1 performance standards pursuant to the requirements of the SICD, distilleries would be permitted to manufacture Class III materials provided they obtain all necessary approvals from FDNY.

In order to ensure a balance of mix of uses within the Special Permit area and control the distribution of uses within each building, the Special Permit would add controls over the scale and location of certain uses. UG 3A uses would be capped at an overall zoning square footage (zsf) of 625,000 zsf (approximately 0.47 FAR). Retail or service establishments would be permitted up to an overall cap of 900,000 zsf (approximately 0.68 FAR) and hotels would be permitted up to an overall cap of 287,619 zsf (approximately 0.22 FAR). These controls will ensure the Special Permit area is not oversaturated with retail or hotel uses or academic campuses to the detriment of a vibrant innovation economy ecosystem.

With the exception of certain restaurants, retail establishments will generally be restricted in their location within the SIDC. Retail size and location restrictions will be as follows:

- Between 32nd and 33rd Streets from 2nd to 3rd Avenues, between 33rd and 36th Streets within 130 feet of 2nd Avenue, and between 39th and 41st Streets from 1st to 2nd Avenues: retail establishments will be limited to the first and second floors of buildings.
- Between 36th and 37th Streets, 2nd to 3rd Avenues: retail establishments will be limited to the first and second floors of buildings and be capped at a maximum of 40,000 square feet of zoning floor area per establishment.
- Between 33rd and 36th Streets beyond 130 feet of 2nd Avenue, and between 1st Avenue and the Waterfront: retail establishments will be limited to the first floor of buildings and be capped at a maximum of 40,000 square feet of zoning floor area per establishment.

¹⁰ Since there is currently no plan to convert Building 24 to a non-predominantly industrial use or to combine the Industry City portion of the Waterfront apron with the adjacent City-owned portion of the Waterfront apron, for the purposes of a conservative analysis the provision of public open space in this area has not been assumed under any of the analysis scenarios analyzed in this EIS.

Above the floors indicated above, the following UG 6A, 6C, 9A, and 10A uses may be also located: eating and drinking establishments up to 10,000 square feet of zoning floor area per establishment; depositories for storage of office records, microfilm, or computer tapes; data processing; photographic or motion picture production studios; radio or television studios; and art, music, dancing or theatrical studios.

Establish Controls for Co-Location of Certain Uses

UG 3A (colleges and universities; and libraries, museums, or non-commercial art galleries) and UG 5 or 7A (hotel) uses that are permitted by the Special Permit would be restricted from co-locating near potentially heavier or more noxious uses. Conversely, any new manufacturing or commercial uses that meet any of the three criteria listed below would be restricted from locating in the same building as, or sharing a common wall with, a building containing any existing UG 3A (colleges and universities; and libraries, museums, or non-commercial art galleries) and UG 5/7A (hotels).

The SICD proposes to enforce this as follows: any permitted UG3A or UG5/7A may only locate in the same building as, or share a common wall with, a building containing manufacturing or commercial uses upon certification by a licensed architect or engineer to the Department of Buildings that that such manufacturing or commercial use:

- Does not have a New York City or New York State environmental rating of “A,” “B,” or “C” under Section 24-153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection operating certificate or New York State Department of Environmental Conservation state facility permit;
- Is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances; and
- Is not a use listed in UG 18.

Supplement and/or Modify Parking and Other Regulations

The proposed Special Permit would also modify other regulations of the underlying districts and further control locations of curb cuts and therefore access to loading docks and parking facilities. Specifically, while the underlying M2-4 district does not require parking for most uses, the Special Permit would require retail and service establishments listed in UGs 6A, 6C, 7B, 8B, 9A, 10A, 12B, and 14A—with the exception of certain non-retail uses—to provide parking at a rate of one space per 500 square feet of floor area once retail uses in the Special Permit area exceed 120,000 square feet.

With respect to curb cuts, the Special Permit would prohibit new curb cuts along 2nd and 3rd Avenues in the Finger Buildings area, and restrict curb cuts to limited locations along 39th Street between 2nd Avenue and the Waterfront.

With respect to parking, accessory parking spaces will be permitted to be located on a zoning lot other than the same zoning lot as the use to which they are accessory, provided that they are located within the boundary of the Special Permit area. In addition, the Special Permit will allow up to 500 permitted parking spaces within a single accessory parking facility provided the Commissioner of Buildings makes certain findings.

With respect to the Zoning Resolution’s special permit lapsing provisions, and pursuant to the SICD, the Special Permit shall vest upon issuance by DOB of a Certificate of Occupancy, or an equivalent, for any use not permitted by the underlying district regulations.

Public Access Area Requirement

The proposed Special Permit would waive the underlying Zoning Resolution waterfront public access regulations, in lieu of an alternate arrangement to be established by restrictive declaration, as follows:

As described above, in the event Building 24 is developed, enlarged, or subject to a use change that is not predominantly industrial and the Industry City-owned portion of the Waterfront apron adjacent to Building 24 is combined with the adjacent New York City-owned portion of the Waterfront apron, a public access area would need to be developed and opened to the public on such Waterfront apron. This requirement would be memorialized in the restrictive declaration to be recorded in conjunction with the Special Permit. Since there is currently no plan to convert Building 24 to a non-predominantly industrial use or to combine the Industry City- and City-owned portions of the Waterfront apron, for the purposes of a conservative analysis, the provision of public open space in this area has not been assumed in this analysis.

Change to the City Map

As a separate but concurrent application (ULURP #160146MMK), the Applicant proposes to demap 40th Street between 1st and 2nd Avenues. 40th Street between 1st and 2nd Avenues is currently in private ownership and unimproved for street purposes. In addition, for over a century portions of Building 19 and Building 20 have been constructed within the bed of mapped 40th Street. The demapping of 40th Street would reflect the existing condition of the street and further facilitate development within the Directly Affected Area.

STUDY AREAS

The Proposed Actions would only apply to the Directly Affected Area and would not result in any zoning changes in the study areas.

PUBLIC POLICY

The Proposed Actions would not result in any changes to public policies affecting the Primary or Secondary Study Areas. As discussed, further below, the Proposed Actions would be consistent with, and supportive of, public policies aimed at increasing, preserving, and enhancing production and light industrial uses. Similarly, the Proposed Actions would be consistent with the policies of the WRP (discussed in **Appendix A-1**, “Waterfront Revitalization Program”).

ONENYC

Overall, the Proposed Actions would be supportive of three of OneNYC’s four outlined Visions: Vision 1: Our Growing, Thriving City; Vision 3: Our Sustainable City; and Vision 4: Our Resilient City. One goal of Vision 1 is Industry Expansion and Cultivation. The Proposed Actions would be aligned with this by facilitating approximately 6.57 million gsf of development and providing jobs for approximately 15,000 employees. Similar to OneNYC’s objective of positive economic impact through targeted strategies to strengthen traditional and emerging sectors with high growth potential and jobs, the Proposed Actions would facilitate the re-tenanting and redevelopment of Industry City with high employment uses in areas such as manufacturing, commercial, retail, hospitality, academic and other community facility uses.

Furthermore, the project facilitated by Proposed Actions considers potential future components that would align with OneNYC’s Vision 3. Vision 3 outlines the importance and need for Parks and Natural Resources. As a potential future component of the Proposed Project, there is the potential to extend the Sunset Park North portion of the Brooklyn Waterfront Greenway through

Building 25 to connect to the rests of the Bush Terminal complex. There is also the potential to provide waterfront access (see Chapter 1, “Project Description”). Finally, in support of Vision 4: Our Resilient City, in the event of future floodplain elevation rise to the extent that currently anticipated flood proofing measures are determined to be inadequate, the applicant would likely implement additional flood proofing measures consistent with the City’s resiliency goals. As described in **Appendix A-1**, “Waterfront Revitalization Program,” the Proposed Actions would be consistent with WRP policies.

NEW YORK WORKS

The Proposed Actions would incentivize the development of space for emerging industries that combine elements of industrial, manufacturing and creative uses, as well as cultural sectors, all of which were identified by New York Works. The Proposed Actions would support the mission of New York Works through a variety of measures including allowing for a wider range of commercial and light industrial/production uses in the Directly Affected Area than currently allowed by the zoning and providing enhanced employment opportunities. Through the establishment of the SICD, the Proposed Actions would facilitate a project that creates jobs, provides space for community facilities, and facilitates an environment that provides linkages between students and businesses. The Proposed Actions would provide a venue for innovators and scholars to interface on research, design, training, and education and eventually help serve the Innovation Economy uses on site.

Therefore, the Proposed Actions would support New York Work’s goals of providing more job opportunities in emerging industries and developing south Brooklyn’s waterfront as a center for industrial and manufacturing business.

VISION 2020 COMPREHENSIVE WATERFRONT PLAN

As described above, the Directly Affected Area is located within one of Vision 2020 Comprehensive Waterfront Plan’s 20 neighborhood reach areas. The strategies outlined for Brooklyn Upper Bay South are to facilitate open space improvements at street-ends in coordination with approved plans and zoning regulations for adjacent sites; and support the appropriate alignment of the Brooklyn Waterfront Greenway Master Plan, guiding the creation of a 14-mile waterfront path between Newtown Creek and the Shore Parkway Greenway. As described above, a stretch of the Brooklyn Waterfront Greenway, called the Sunset Park North Brooklyn Waterfront Greenway, would include a stretch of 2nd Avenue within the Directly Affected Area and the extended Primary and Secondary Study Areas as well. Additionally, there is the potential that the Sunset Park North portion of the Brooklyn Waterfront Greenway could be extended through Building 25 to connect to the rest of the Bush Terminal complex to the south. The improvements to the Directly Affected Area would enliven the streetscape along 2nd Avenue, further supporting one of the strategies outlined in Vision 2020 for Sunset Park.

As described in the “Public Action Area Requirement” discussion of Section E, “Future with the Proposed Actions,” the Proposed Actions would be consistent with the strategies of the Reach.¹¹ The Directly Affected Area is also located within the Sunset Park SMIA, a zone designated to

¹¹ A nautical term used in Vision 2020 meaning continuous expanse of water. These reaches, 22 segments in total, were designated based on land use, natural features, and physical and political boundaries. Vision 2020 presents updated strategies for these 22 reaches offering site-specific projects that will enhance public access, maritime industry, water recreation, the natural environment, new development, and other activities.

Industry City

encourage the clustering and concentration of heavy industrial and infrastructure uses, such as international shipping, domestic shipping and barging, ship construction and repair, and related uses. The Proposed Actions would help to strengthen the Sunset Park SMIA by continuing to provide employment in a variety of areas synergistic to SMIA uses. The Sunset Park SMIA is known for its high employment density and well-diversified base. And while the Proposed Actions do not anticipate the development of a substantial number of heavy industrial industries at Industry City (and there are very few heavy industrial uses at Industry City now), the Proposed Actions would facilitate uses that support heavy industrial uses (such as supportive manufacturing, distribution and creative industries), and would not hinder the development of heavy industrial uses in the surrounding area.

SUNSET PARK WATERFRONT VISION PLAN

The Sunset Park Waterfront Vision Plan outlines a sustainable urban industrial district that balances neighborhood, City-wide, and industrial development goals through physical and policy-based investments. In 2008, EDC, along with DCP and SBS developed a set of recommendations for reinvestment over the next twenty years, with a focus on short-term, medium-term, and long-term implementable projects. The Proposed Actions would support the long-term strategy of the Sunset Park Waterfront Vision Plan. Under the Proposed Actions, the re-tenancing and redevelopment of Industry City would help to establish Sunset Park as one of the City's premier industrial centers, helping to bring in substantial job creation. The Proposed Actions would provide the space and upgrades to the existing Industry City infrastructure that would continue to attract a diverse group of businesses. Part of the emphasis of the Sunset Park Waterfront Vision Plan is a focus on marketing Sunset Park and supporting the industrial community. Through the Proposed Actions, a redeveloped and economically thriving Industry City that employs over 15,000 people would continue to be a marketing point for the area.

In conclusion, the Proposed Actions would be consistent with the Sunset Park Waterfront Vision Plan as they would bring Industry City up to modern standards and functionality, attract new business to the Directly Affected Area, provide an adaptive re-use of currently vacant or underutilized space, and continue the trend towards higher density and more diverse uses by establishing an Innovation Economy District.

SOUTHWEST BROOKLYN INDUSTRIAL BUSINESS ZONE

Located along the waterfront from Atlantic Street to Shore Road, the Southwest Brooklyn IBZ fosters high-performing business districts in the Brooklyn neighborhoods of Cobble Hill, Carroll Gardens, Red Hook, South Slope, and Sunset Park, by creating competitive advantages over locating in areas outside of New York City. The IBZ designation fosters high-performing business districts, helping to foster business solutions for industrial and transportation uses. Although the Proposed Actions would rezone a portion of the Directly Affected Area, it would help to preserve the manufacturing district by re-tenancing lower density employment uses like storage and warehousing uses with higher density manufacturing uses. In addition, with the inclusion of certain synergistic non-industrial uses into the IBZ, the Proposed Actions intends to provide the necessary mix of uses to support modern industrial uses. This would include preparing students to seek employment with innovation economy businesses, providing necessary lodging and meeting spaces for visitors doing business in the IBZ, and providing the requisite retail uses to support the thousands of new workers in the IBZ. Therefore, the Proposed Actions would support the Southwest Brooklyn IBZ by providing a hub for Innovation Economy uses and continued education.

DEP GREEN INFRASTRUCTURE PLAN

DEP's Green Infrastructure Plan is designed to achieve better water quality and sustainability benefits than the City's current "all-Grey Strategy" infrastructure plan. The Green Infrastructure Plan has several key components: including building cost-effective grey infrastructure, optimizing the existing wastewater system, controlling runoff from 10 percent of impervious surfaces through green infrastructure, institutionalizing adaptive management, modelling impacts, measuring CSOs, monitoring water quality, and engaging and enlisting stakeholders.

The Proposed Actions would result in the construction of three new buildings, which would allow for the implementation of building wide systems to minimize wastewater runoff. The Proposed Actions would also facilitate the continued retrofitting and upgrading of a substantial amount of square footage in existing century-old buildings. While the retrofitting of existing buildings provides fewer opportunities to develop new stormwater management systems, the Proposed Actions would facilitate continued investment in building upgrades, such as additional building courtyards with permeable surfaces, green roofs and other rooftop wastewater management upgrades where feasible, and low-flow bathroom fixtures. Furthermore, the substantial renovation of buildings situated significantly below the floodplain (e.g., Building 24) would be accompanied by strategies to develop the lowest floors with temporary uses that can be wet-floodproofed.

DOT TEN-YEAR CAPITAL STRATEGY

DOT's Ten-Year Capital Strategy sets forth the City's approach to capital planning and investment, and describes anticipated levels of spending through 2027. The guiding principles and investment priorities outlined here reflect the Mayor's vision for shaping a stronger and more just city through capital investment. They serve as a guide for capital planning and subsequent capital budgets and commitment plans over the next decade, and provide for a more economically, environmentally, and fiscally resilient future.

As mentioned above, DOT currently has a number of ongoing projects within Brooklyn Community District 7. These projects include various streetscape improvements dedicated to pedestrian and cyclist safety, as well as ongoing work to the Bush Terminal and Brooklyn Army Terminal infrastructure. It is assumed that as part of this proposal, the Applicant would be in coordination with DOT on a comprehensive set of pedestrian and street improvements that work for both Industry City and DOT, and in the future with the Proposed Actions all development would be consistent with DOT capital plans within the Directly Affected Area.

NYC SPECIAL INITIATIVE FOR REBUILDING AND RESILIENCY

This initiative identifies the Brooklyn-Queens waterfront as home to a great diversity of people, a vital economic engine for the City, and the site of critical infrastructure serving the entire City. The Brooklyn-Queens waterfront includes the Sunset Park neighborhood, and areas located within the Directly Affected Area, Primary Study Area, and Secondary Study Area.

As described in Chapter 14, "Greenhouse Gas Emissions and Climate Change," the Proposed Actions have been developed taking into consideration the lifespan of the buildings, mechanical, electrical, and plumbing equipment located in the buildings, and sea level rise projections outlined by the New York City Panel on Climate Change (NPCC). To account for current flood conditions, new Buildings 11 and 21, both located in the current +12-foot floodplain, have been designed with a Design Flood Elevation (DFE) of +13.0 feet NAVD88, which is about 1 foot above the current BFE (accounting for current conditions, including freeboard). Existing buildings, including Buildings 22/23 and 26 located in the +12-foot floodplain near the waterfront, would be retrofitted

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with flood protection features at the time of construction to account for potential future conditions. Renovations for the Finger Buildings in the +11-foot and +12-foot BFE floodplains would incorporate dry flood proofing measures in vulnerable locations upland of 1st Avenue to account for potential future conditions. Specific measures may include aluminum shielding and/or flood gates at entryways within the floodplain, and/or other appropriate methods that would be determined at a later point in the design process and incorporated at the time of construction. All proposed new critical infrastructure (i.e., electrical, plumbing, mechanical equipment) would be elevated above the projected future flood levels in each building, and basement uses would be limited to storage and parking only. Elevators would also be flood-proofed. Connections and systems would be either located above this elevation or sealed. The vast majority of the Directly Affected Area is not on the waterfront and therefore those portions would not include any coastal protection measures that would affect other sites or open space areas. The small portion of the Directly Affected Area that is on the waterfront—specifically Building 24—contains an existing building which would be retrofitted in consideration of future sea level rise and flooding considerations.

In addition to the resiliency measures, the Proposed Actions would introduce a number of sustainability measures consistent with this policy. As a participant in the New York City Carbon Challenge, Industry City has voluntarily pledged to reduce its building-based emissions by 30 percent over the next decade. A reduction of carbon emissions would be the result of sustainability measures and energy infrastructure upgrades—LED lighting, window replacements, cool roofs, on-site waste management, and modern heat distribution systems—as well as the adaptive reuse of underutilized buildings and materials.

SOUTH BROOKLYN MARINE TERMINAL

SBMT is located along the Bay Ridge Channel in the Sunset Park neighborhood of Brooklyn. This site, once primarily used for vehicle processing, storage, and/or surface parking for adjacent commercial development, is now mostly vacant, with surface parking still available. In its current condition most of the SBMT is paved, unimproved, and underutilized, including the buildings that are present. As described above, in May 2018, EDC issued a decision on its RFP, selecting Red Hook Container and Industry City to operate the terminal. ~~According to EDC, the project would transform the terminal into a 21st-century maritime hub with industrial uses, reactivating SBMT as a major shipping hub and creating a vibrant cluster of maritime activity and industrial uses along the South Brooklyn waterfront while minimizing the use of trucks. As described above, the City subsequently announced, in February 2020, a pledge to redirect its planned funding for SBMT to support the use of the site by Equinor, a Norwegian energy company, for staging, installation, and maintenance activities related to the offshore wind farm that is currently being developed to deliver power to New York City.~~ It is not anticipated that the intensive re-use of the Directly Affected Area would affect SBMT. In fact the substantial addition of Innovation Economy uses in the Directly Affected Area may produce certain synergies between the maritime and ~~industrial~~ sustainable energy uses at SBMT and the ongoing and recommended future investments through the Sunset Park Waterfront Vision Plan to maximize efficient movement of goods, protect and grow industrial employment and balance neighborhood needs.

CITYWIDE FERRY SERVICE

As mentioned in the No Action condition, in addition to the CFS that was implemented in 2017 to serve Manhattan, Brooklyn, and Queens, there have been considerations by EDC to add an additional CFS stop at Bush Terminal in Sunset Park. Similar to the No Action condition, the

future with the Proposed Actions does not take this into account. Any future considerations are preliminary, and would be subject to discretionary approvals and environmental review.

Any potential construction of a new CFS landing at Bush Terminal would be part of an ongoing effort by the City to identify and revitalize former heavy industry sites along the waterfront. Similar to the original ferry service expansion, a new CFS landing at Bush Terminal would continue to provide numerous benefits to the city, including but not limited to providing additional links between isolated various areas of the City, supporting commercial and residential development in emerging waterfront areas, easing congestion on other transit systems, and providing a resilient transit alternative to support the goal of strengthening the city's infrastructure to handle future storm and flooding events. It would also provide an additional means of commuter transport to and from Industry City. The Proposed Actions are not anticipated to have an effect on a future CFS at Bush Terminal.

MI HOTEL ZONING

As described above, DCP proposed a zoning text amendment to establish a new Special Permit under the jurisdiction of CPC for new hotels, motels, tourist cabins and boatels in M1 districts citywide. The Zoning Text Amendment was ~~recently~~ approved by the City Council in December 2018.

The Proposed Actions would establish a separate special permit to allow hotel uses in the Directly Affected Area, which is explicitly contemplated and permitted in the M1 Hotel zoning text amendment. Under the Proposed Actions, one of the two permitted hotels would be constructed in the portion of the Directly Affected Area designated as an M1 zoning district. By establishing a specific location for the hotels, limiting their size and placing them in the context of a large-scale development with broader controls on use, bulk and parking, the Proposed Actions and separate special permit would be in alignment with the goal of the Zoning Text Amendment to ensure that hotels do not detract from opportunities for other kinds of development and uses that support neighborhood objectives.

SUNSET PARK 197-A PLAN

As mentioned above, the Sunset Park 197-a plan lays out a comprehensive approach for economic revitalization along the Sunset Park waterfront, premised upon increasing connectivity between upland residential communities and economic opportunities along the waterfront. The plan is built upon a vision of the Sunset Park waterfront as a sustainable mixed-use neighborhood that promotes regional and local economic development, fosters a healthy living and working environment, and reconnects upland residential communities in Brooklyn Community District 7 to the water's edge.

With millions of dollars in investments over the past five years, Industry City has made substantial progress in fulfilling the goals of the 197-a plan within the Directly Affected Area. The Proposed Actions would allow for substantial continued progress toward advancing 197-goals of converting vacant or underutilized property into job-intensive industrial uses, development of vocational training center or other community facility uses in order to prepare students for jobs in manufacturing and tech sectors, and to preserve and celebrate Sunset Parks rich maritime and industrial heritage. Specifically, the Proposed Actions would facilitate the continued transformation of a majority underutilized Industry City site, which employs approximately 7,000 people and includes approximately 2.7 million square feet of vacant and storage and warehouse

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space, into an active Innovation Economy District with 15,000 on-site jobs and 6.6 million square feet of space, while supporting the continued preservation and restoration of existing structures.¹²

Furthermore, while the 197-a plan's overall goals provide a broad framework, in order to achieve the plan's goals, the 197-a plan further identifies a number of major recommendations, many of which are applicable to the project area and supported by the Proposed Actions. These recommendations include the following:

Recommendation: Identify vacant or underutilized...buildings and lots...that may provide opportunities for (a) the development of new industrial businesses and services in Sunset Park; (b) the expansion of existing businesses; (c) the relocation of businesses displaced from other parts of the city; and (d) supportive services such as a vocational training center (potentially through partnership with an academic institution), day-care facilities, local retail facilities, and parking.

While traditional industrial manufacturing employment continues its steady decline throughout New York City, employment in the Innovation Economy is growing, and with an appropriate zoning framework, Industry City is poised to take advantage of that growth to support job creation.

However, significant efforts to improve Industry City's competitiveness under current zoning regulations have had only limited success in reducing underutilized space at Industry City since 2013, when the Applicant acquired ownership of Industry City. Under the current zoning framework, underutilized space at Industry City has only been reduced by 12 percent between 2013 and 2018. Furthermore, the overbuilt condition of Industry City prevents any new development or enlargements to meet the needs of firms that desire purpose-built space.

Much of these struggles can be attributed to the fact that current zoning in the Project Area does not allow and encourage the range of uses or sufficient floor area necessary to support the re-tenanting and development of the Industry City complex. While the current M3-1 zoning district allows industrial, manufacturing, and office uses, it only allows certain limited retail uses and does not allow complimentary academic and community facilities or hotel use. The limited uses allowed under the existing zoning discourages other investments in portfolio-wide building modernizations, preventing the Industry City complex from further re-tenanting existing buildings. For example, Buildings 22–26, along 39th Street between First Avenue and the waterfront, require substantial rehabilitation and upgrading to meet the needs of tenants and account for the resiliency needs of their location. However, the limited range of uses currently permitted compromises the economic feasibility of such a rehabilitation project.

The Proposed Actions will allow Innovation Economy firms to be integrated into a mixed-use community with other like-minded makers, with ready access to a workforce with diverse skills and experiences as well as places where business partners can stay and meet while in town. Employees, in turn, will have access to research and training opportunities, along with places to eat and buy goods. This ecosystem is critical for Innovation Economy firms, particularly entrepreneurs and small business owners, as they identify opportunities for cross-collaboration, inspiration, and business growth. Zoning actions that broaden the permitted use and bulk at Industry City are required to allow for this collaborative “ecosystem” to grow and to allow for the retention and growth of industrial jobs in Sunset Park.

¹² In the existing condition, there is approximately 1.3 million square feet of vacant space and 1.4 million square feet of warehouse and storage space.

Recommendation: Encourage private development of affordable rental industrial space in Sunset Park through the provision of tax and other financial incentives.

Critical to the development of a successful center for Innovation Economy firms is the creation of affordable incubator space where small manufacturers can become established and grow into larger businesses. While the Proposed Actions will not provide tax or other financial incentives to do this, they will facilitate the development of other economically viable uses at Industry City such that the Innovation Economy can grow and such that smaller affordable incubator spaces for manufacturers can be provided.

Recommendation: Explore the possibility of developing a vocational training center on the waterfront (potentially through partnership with an academic institution) to prepare students for jobs in marine, manufacturing, green building and new hi-tech industries.

The existing Innovation Lab will continue to provide entrepreneurship and vocational training opportunities for local residents and facilitate linkages between students and businesses. The new academic uses facilitated by the Proposed Actions will build upon this allowing for the development of closer connections and working relationships between students and Innovation Economy firms, providing a pathway from education to employment for local residents. By supporting the development of both on-site academic institutions and Innovation Economy jobs, the Proposed Actions will lay the groundwork for the continued success of the Innovation Lab.

Recommendation: Develop transportation and urban design solutions...to improve conditions along Third Avenue for both pedestrians and cyclists and facilitate access to the waterfront.

Industry City recently added elevated sidewalks and substantially improved loading operations along many of the privately owned Finger Building streets that extend from Third Avenue. Industry City has also partnered with City DOT and the Design Trust to improve lighting and stormwater runoff capture under the BQE at 36th Street. Building upon these significant improvements to the pedestrian experience in this area, the Proposed Actions would facilitate further improvements to the surrounding street and sidewalk infrastructure and integration of the Brooklyn Greenway, which is currently anticipated to be routed from 39th Street through Building 25 to connect to Piers Park to the south. This will complement further city-initiated efforts to improve the pedestrian experience and expand access to the waterfront.

Recommendation: Encourage other destinations...such as a maritime/industrial museum... cultural/educational facilities, and a café or restaurant that will draw people down from the upland neighborhoods and help establish sense of place and identity on the waterfront.

The Proposed Actions will facilitate a broader range of uses at Industry City than are currently permitted by zoning, and that will allow for the fulfillment of this recommendation. Specifically, current zoning does not permit museums or educational facilities, which the Proposed Actions will permit. Furthermore, the Proposed Actions will facilitate a vibrant center for Innovation Economy firms, allowing for the reactivation of currently underutilized and vacant buildings, and development of cultural and entertainment programming, retail/dining amenities, and dedicated event space for tenants and community users to establish a sense of place on the waterfront.

Recommendation: Preserve Sunset Park's historic infrastructure; Encourage the preservation of privately owned historic or architecturally significant buildings.

The Proposed Actions will facilitate this redevelopment and job creation within a contextual framework that respects and protects the existing built fabric of the neighborhood, in accordance with the goals of the 197-a Plan. While current zoning regulations place no height limits on

buildings, the Proposed Actions will establish a specific development envelope with height limits, within which development may occur. Furthermore, the Proposed Actions will establish urban design controls, including limitations on curb cuts, to support a positive pedestrian environment. Finally, the Proposed Actions will provide for the range of uses and floor area for limited new development to provide the economic support necessary to re-activate and revitalize existing vacant historic buildings.

SUNSET PARK BOA

In the future with the Proposed Actions, the existing buildings in the Project Area—including Building 26, which is identified as a strategic site in the BOA Nomination Plan—would be renovated and re-tenanted in order to establish the necessary mix of uses to create an Innovation Economy district. The proposed uses to be developed within the Project Area align with the following BOA recommendations:

Recommendation 1: Increase job opportunities for local residents through encouragement of sustainable industry and green jobs.

By attracting Innovation Economy firms, and creating an ecosystem critical for Innovation Economy firms, particularly entrepreneurs and small business owners, the Proposed Project would support the identification of opportunities for cross-collaboration, inspiration, and business growth, including with sustainable businesses.

Recommendation 4: Create public access links to the Sunset Park Waterfront.

As described above, the Proposed Actions would facilitate improvements to the surrounding street and sidewalk infrastructure and integration of the Brooklyn Greenway, which is currently anticipated to be routed from 39th Street through Building 25 to connect to Piers Park to the south. This will complement City-led efforts to improve the pedestrian experience and expand access to the waterfront.

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